

BARRETT FAMILY, PART I

Scott Barrett and Beth Markman met while both were serving in the military. Their relationship lasted five years and produced two children - Peter, age 4 and Jennifer, aged 18 months. Scott was deployed to Afghanistan during much of this period, although he was present for Peter's birth. Jennifer left the military shortly after Peter was born. She advised Scott that she had become pregnant for a second time and felt abandoned when Scott signed up for a second tour of duty.

Shortly before Jennifer was born, Scott was wounded in an attack in which a close friend was killed. As he recovered from his injuries, Scott frequently wrote and called Beth, telling her how excited he was to be coming home so that he could be a real father to his children. Beth provided him with pictures and general updates about the children, but was vague in her discussion of future plans. Scott returned home approximately one year ago, cohabitating with Jennifer and the children for approximately three months. Beth alleges that Scott was extremely short-tempered during this time, and occasionally left the house to control his temper, slamming the door as he left and frightening the children. She states that he obsessively questioned her and accused her of having an affair, and that she never knew when he might "go off." She states that she was reluctant to leave him alone with the children even when they were living together. Scott acknowledges that he had difficulty sleeping and frequent headaches after he returned home, occasionally self-medicating with alcohol. When Beth initially threatened to end the relationship, he sought treatment at a local VA. He stated that his symptoms have subsided with appropriate medication and therapy. He vehemently denies that he was ever violent or threatening toward Beth or the children, although he did suspect her of having an affair and his suspicions were confirmed when Beth began cohabitating with another man, Martin, shortly after their relationship dissolved. He also acknowledged that he frequently called and texted Beth after they separated, asking for time with the children, before he hired an attorney.

Beth does not believe that Scott should have significant time with the children. She notes that Scott was around much for the first year of either child's life and that it had been Martin, and Beth's own parents, who had been available to help her. She agreed to meet Scott at a park with the children and watched them interact but did little to facilitate it. Peter was shy and uncertain around his father, but eventually allowed his father to push him high on a swing and engage in some other active play. Beth became alarmed that Scott was "playing too rough" with Peter and intervened to require that they slow down. Scott states that Peter was laughing before Beth intervened; Beth states that Peter was scared. Jennifer did not approach her father and cried when Beth picked her up and put her near his father to play. Scott asked Beth to stop interfering in his play with the children and an argument ensued in their presence. Peter retreated back to the playground and Jennifer began to cry.

For the next three months, Scott continually requested that be permitted to have more time with the children and to select his own activities. Beth routinely responded that the children weren't yet "ready" for this and insisted on being present at all visits. After his initial three months of attempts, Scott became despondent about ever getting to be a real father to his children and missed three scheduled visits. One of Beth's friends also told her that Scott was drinking again and suffering from PTSD. Shortly thereafter, Scott was driving home after spending time at a bar with friends and nearly had an accident. No one was hurt, but the incident scared Scott and he began to attend AA and a veterans' support group. A friend referred him to a lawyer who works with Veterans and he has now

come to court seeking to have Wed. overnight and every other weekend with both children. Scott believes that the only way the children will get to know him is for them to spend time together, without Beth's interference. He is also requesting that he and Beth alternate Christmas and Easter with the children, with Scott being permitted to spend a week with the children at his parents' home, which is approximately an hour's drive away. He is further requesting that he be permitted to enroll Peter in preschool and in activities, and that he be permitted to pick up Peter for his parenting time directly from school.

Beth responds that Scott is unstable and needs to be supervised with the children. She states that the paternal grandparents were never around the children much, although they allege that she resisted allowing them contact with the children. Beth adds that Scott's parents are obviously "in denial" about his instability and potential for violence, and cannot be trusted to supervise his contact with the children. She adds that Scott knows nothing about young children and that his "mental illness" and problems with anger control make him too dangerous to be around them. She adds that the children have little to lose since they have a new father figure and never really knew Scott.

Mom's Position

- Scott may like the idea of being a father but has no idea what it actually takes to be one
- His door-slamming behavior and aggressive questioning of her constitute incipient, if not actual, family violence and his repeated contacts to pursue time with the children are making her feel "stalked"
- Since he was not around much during the first year of either child's life, Scott cannot really have an "attachment" to them, nor can they have one to him. Attachment is about more than biology and they are now more attached to their new father figure, Martin, who she describes as more stable and responsible
- Scott's "risk taking behavior" of pushing Jerome's swing too high demonstrates that he has poor judgement about children's safety. His yelling, aggressive questioning and door-slamming behavior convey insensitivity to the children's behavior
- Jennifer is at a time of high separation anxiety and would be "traumatized" by the schedule Scott proposes. Jennifer has never been bathed or put to bed by anyone other than Beth, Martin, and Beth's parents and Scott would not be competent to do this
- The children have no relationship with their paternal grandparents, who visited with Peter a few times when he was younger and have only seen Jennifer once.
- Beth is concerned that Scott has PTSD and that his problems with alcohol and anger control are not behind him. She has heard from friends that he still drinks regularly and that his problems are not being treated adequately. She knows what can happen in combat and she does not think that Scott should be trusted alone with his young children until it is proven that he is mentally sound and competent to care for them
- The children's anxiety demonstrates that they are "not ready" to have a relationship with Scott. She offers greater stability in her home with Martin, and Scott should not be permitted to disrupt this just because he's now interested in being a father.
- The children have been upset and difficult to manage after each of their visits with Scott. They cry when she tells them they have to go and she does not think they should be "forced" to see him if they're not ready
- She requests that Scott's contact with the children be put on hold until he has had a mental health evaluation and a single expert can determine what's best for the children
- Beth had not planned to enroll Peter in preschool for another six months and sees no reason to "rush" Peter or involve Scott in the decision, as she has been caring for the children by herself, and very well, since they were born

Father's position

- Since when does being a war hero make one unqualified to be a parent?
- Scott always intended to be an active father to his children and Beth knows that. He sacrificed his time, his health, and some precious opportunities with his children to protect the country. It is appalling that this should be used against him.
- He would eventually like to share custody of the children equally, but understands they need to get to know him. The only way that's going to happen is if they have substantial quality time with him.
- He didn't surrender his parental rights when he joined the military and sees no reason that he should not have equal authority in decisions about the children
- He had some difficulty adjusting when he first returned but the veterans hospital and support group are helping him. He admits to being verbally short-tempered but vehemently denies that he was ever a threat to Beth or the children. He acknowledges that the children may have been momentarily frightened when he yelled or slammed doors but all children have those experiences. He sees no reason that he should have to prove his mental fitness any more than Beth does.
- He is willing to agree not to drink when the children are with him, although he notes that Beth also drank excessively when they were in the military
- Beth is being ridiculous to say that Peter was at risk on the swing. Peter was laughing until Beth intervened. He doesn't want his son to be afraid of the world and thinks he can teach his son much in that area. This is all the more reason that Peter should be in preschool
- He is willing to take a parenting class, and his mother is willing to come into Perth to help him with anything he needs to know about bathing, bedtime routines, or anything else related to caring for a toddler
- His parents have always wanted to be active grandparents. They tried to visit Jennifer after she was born but Beth was vague, noncommittal and secretive about what was happening with the children. The paternal grandfather suspected that Beth had become involved with another man, but grandmother suggested that Beth might need some "bonding time" with the baby so did not press the issue. Since Scott was wounded at around the same time, they were preoccupied with caring for their son.
- Beth can have a single expert if she wants, as long as she pays for it, but overnight parenting time should start now. Delay will cause further harm to the children and their relationships with their father
- Beth may have soured on the military, but he is proud of his service. He is concerned about the "negative vibes" that Beth is constantly sending to the children.

- He appreciates how well she cared for the children while he was gone, but he is back now and the children need their father. He has read on web sites how important it is for fathers to stay involved; only someone with Borderline Personality Disorder would fight that.