

Court-Ordered Child Abuse?

Imagine being forced to hand over your child for visits with near strangers, just because they're "family." *Glamour* talks to three young women and the relatives they're battling about the heartbreaking, controversial issue of grandparents' rights.

by Jeff Kamen

IT WAS A WARM NIGHT IN APRIL 1999 AS Jodi Staigerwald, a hardworking, ambitious young real estate agent and single mom, bustled around the Houston home she shared with her seven-year-old son, Brandon. The 30-year-old bride-to-be was tending to the last-minute arrangements for her wedding, which was just two days away. It had been six years since she'd divorced Brandon's father, Matthew Reeves.

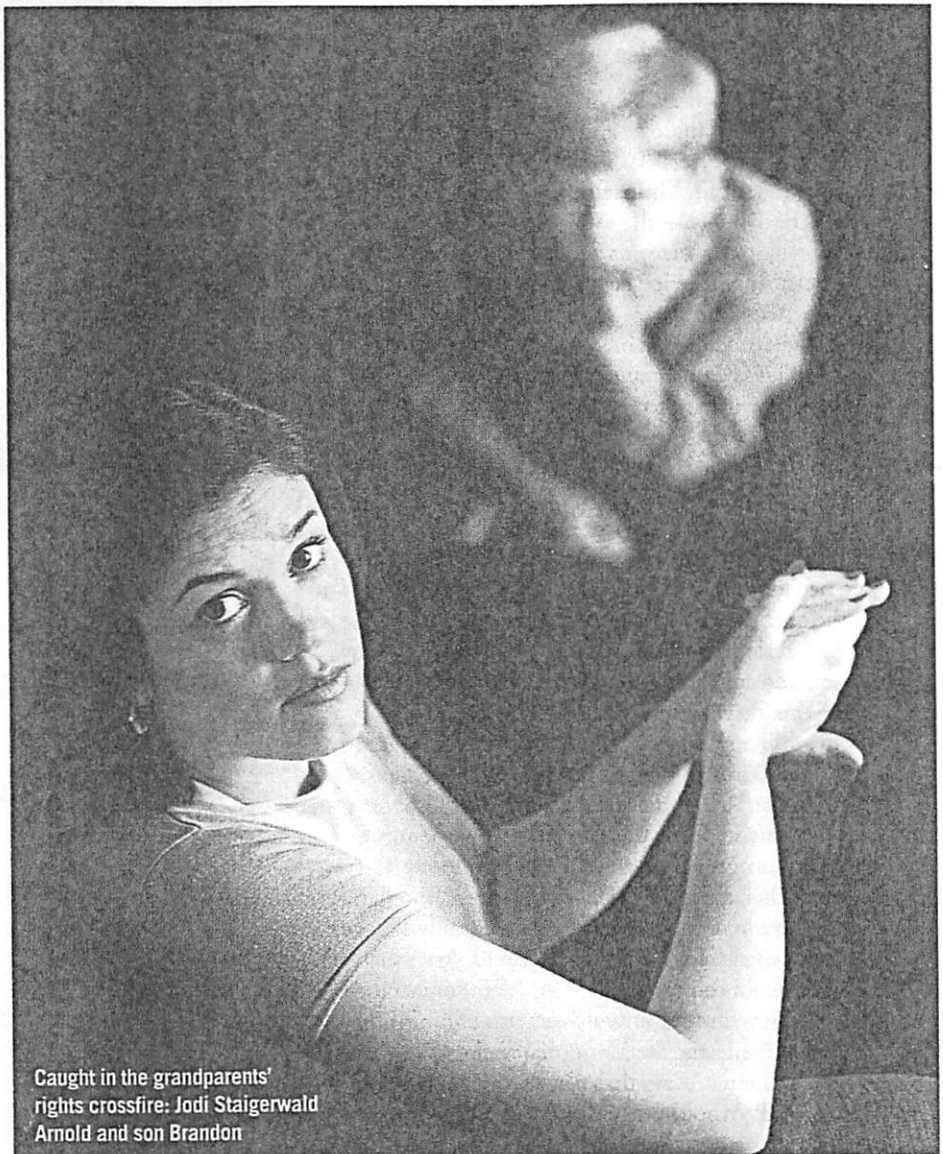
Her ex-husband was the farthest thing from her mind that night, when, at about 9:30, there was a knock at the door. "Are you Jodi?" asked the nice-looking young man standing on the steps. When she answered yes, he thrust some papers into her hand, turned and walked off without a word. She looked down at them, and the first thing she saw was *You have been sued*.

Reading on, Staigerwald discovered that her former in-laws, Al and Linda Reeves, whom she says she had rarely heard from in years, were taking her to court, making what she calls outrageously excessive—and very badly timed—demands for extensive visitation with her son.

"It was as though I had been assaulted," Jodi Staigerwald Arnold (her new married name) told *Glamour* last February.

But what about the Reeveses? They are, after all, Brandon's paternal grandparents. Aren't they entitled to spend time with the boy?

"Brandon barely remembered these people," she counters. "Yet all of a sudden they wanted me to send him out of state for overnight visits at their home in Virginia." She was shocked to learn that, thanks to a grandparents' visitation rights provision on the books in



Caught in the grandparents' rights crossfire: Jodi Staigerwald Arnold and son Brandon

These mothers say visitation is a privilege to be earned, not a right that can be mandated—even by the Supreme Court.

all 50 states in some form or another, she actually might not have the final say on whom her son could visit and when. To Arnold (and to an increasing number of young women like her), such laws represent an unconscionable challenge to their rights to raise their children—indeed, to live their own lives—as they see fit.

*Generations at War

Just before the sticky heat of summer closes in on Washington, D.C., this year, the United States Supreme Court is expected to decide on *Troxel v. Wynn*, a high-profile parents-against-grandparents case in Washington

state that has been generating impassioned debate across the country. In 1993, Tommie Granville's ex-boyfriend, Brad Troxel, killed himself. The couple had two daughters, ages three and 18 months, and later that year Granville married Kelly Wynn, a man with children of his own. Brad Troxel's parents, who'd enjoyed occasional visits with their granddaughters, wanted more regular contact and overnights with the girls. But Tommie Granville Wynn, wanting to give her new family a chance to settle in together, felt that one visit a month was more appropriate. They reached an impasse, and in December 1993 the Troxels petitioned the court for overnight

visits twice a month. "We don't want them to forget that their daddy loved them," the distraught grandmother told reporters. "We miss watching them grow up." Like Arnold, Granville Wynn said she didn't object to visits—she simply wanted to be able to schedule them on her own terms. The case has made its way through the lower courts; now it's up to the U.S. Supreme Court to decide. But to parents like Jodi Arnold, merely having to go to court in a situation like this is damaging enough: "You just don't sue someone if you want to be part of their family."

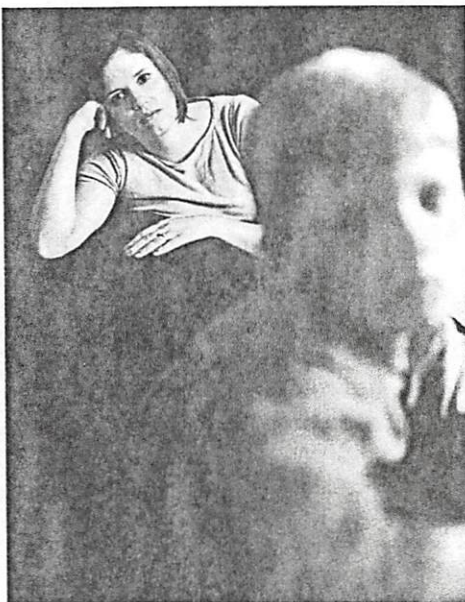
*New Life, Interrupted

Not surprisingly, the arrival of the summons to court two days before Jodi's marriage to Dean Arnold, a hard-working 41-year-old electrical engineer who adored both her and her son, put a damper on the festivities. "I cut the celebration short because I was too upset," she says, still furious at the memory. "Every time I saw my son, so handsome in his tuxedo, I could think of nothing but them trying to take him from me."

Jodi Arnold says her relationship with the Reeveses was cordial during her marriage to their son. After she and Matthew Reeves divorced in early 1993, she says, she continued to call her in-laws with updates on Brandon's progress and to send them photos. They called her, too, and visited Houston twice. "But then in late 1996, they wanted to come down during a school week, which I didn't think made sense for them," Arnold says. After that conversation, the relationship cooled. She says the main contact the Reeveses had with Brandon for several years was through birthday and Christmas gifts. Then came the prenuptial wallop.

But Linda Reeves says that neither she nor her husband, Al, had any idea that Arnold was engaged, let alone getting married the week the papers were served. "Jodi began freezing us out of Brandon's life about a year before we brought suit," Al Reeves contends. "We knew there was something wrong," his wife continues. "She was increasingly unfriendly when we called. I thought there must be a new man in her life." They both say Arnold always had some excuse for why it was bad timing for a visit and that she wrote saying that because their son had left the marriage, they would suffer the loss of Brandon (a letter Arnold says she doesn't recall writing). "That's when we went to court," Linda Reeves insists.

Arnold says she had only 20 days to respond to the court summons, so right after the wedding she began what she would come to refer to as "my battle." She combed the Yellow Pages in search of a lawyer. One told her she'd probably lose, saying that Texas courts traditionally looked favorably on the grandparents in such cases. "This really got me angry," Arnold fumes. "How can they take my



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Tommie Granville Wynn are sure to multiply. Roughly 6,000 grandparents and other third parties file such suits each year, says Paul Dodge, a grandfather who also happens to be the director of the Arizona branch of the Coalition for the Restoration of Parental Rights (CRPR), a national advocacy group that opposes the grandparents' visitation statutes. But if the Supreme Court hands down a ruling in Wynn's favor, it could sharply reduce the ability of state courts to order unwanted visitation by grandparents or, in some states, *any* third party, if a judge finds it to be in the best interest of the child, says Catherine Smith, the Seattle, Washington-based attorney representing Wynn.

*In Whose Best Interest?

Jana Anderson Shepard knows just how wrenching such cases can be. A 30-year-old entrepreneur from Los Angeles, Shepard saw her life begin to implode in September 1996, when her husband, Darrel Anderson, father of her then one-year-old son, Alex, suddenly walked out of their marriage. Shepard, who was also Anderson's partner in a plumbing business, was stunned. Her ex-husband began drinking, and in November 1998 he shot himself to death.

Six months later, Darrel's mother, Patricia Anderson—who Shepard said in court papers has a history of alcohol and drug abuse—filed a lawsuit under the California grandparents' visitation statutes. Her demands: four weekends a year and two weeks in the summer near Shepard's home; one week in the winter at Anderson's home in Nevada City, California; and weekly phone calls.

The court ordered temporary visitation (in Shepard's area) before the trial. "It was a nightmare. I took what action I could to protect my son," says Shepard, who was terrified of allowing Alex to visit his grandmother because, she later told court-appointed evaluators, during previous family visits she'd seen Anderson drink alcohol and smoke marijuana (a charge Anderson has denied). Shepard's attorney hired private detectives to monitor the first two court-mandated visits, and in a report that was given to the court, (continued on page 212)

Do Grandparents' Rights Laws Help or Hurt?

Should grandparents be legally entitled to visits with their grandchildren, regardless of parental consent? Mail, fax or e-mail answers with name, age and town to: Readers React/Grandparents, *Glamour*, 4 Times Square, New York, NY 10036; fax: 212-286-6922; e-mail: Tellus@Glamour.com (please put "grandparents" in subject line).

they said that during one car outing they observed "what appeared to be a marijuana cigarette sitting on the center console in plain view from the outside of the vehicle... [and] accessible to the child."

The detectives' report was forwarded to two psychologists at the Center for Children, Families and the Law in North Hollywood, California, a mental-health consulting service. They evaluated the relationship between Alex and his grandmother and made recommendations to the court regarding visitation. During her interview with the psychologists, Patricia Anderson insisted that the marijuana must have been planted in the car. When the psychologists confronted her with letters she had written to her son about "their mutual drug use," Anderson confirmed the handwriting was hers but added that she couldn't remember having written them, the report says.

The psychologists' report, which was entered into the court record, concluded that after witnessing the grandmother and Alex interacting, "it became obvious that a bond did not exist" between them, adding that the animosity between the mother and the grandmother created "too much conflict... to force such a visitation upon Alex."

Last year, Jana married 38-year-old Steve Shepard, who has adopted Alex and praises his wife's remarkable courage during the ordeal, which has cost her more than \$30,000. Shepard and her husband run a roofing company, and she and Alex no longer see or speak to Anderson, who has signed a settlement agreement accepting the psychologists' recommendation that there be no more visitations.

Mom vs. Mom

For 30-year-old Alisa Buck, a Columbus, Ohio-based developer of online training courses, the antagonist was not an in-law but her own mother, Dixie Simpson. "Growing up, I watched her verbally and physically abuse my older brother," says Buck. Their father juggled several jobs, so he wasn't at home much, she says, adding that she'd done her best to keep a low profile and stay out of her mother's way. "I vowed that when I grew up, my own home and my own children's experience would be totally different," she says.

In 1991 she married William Buck, an African American insurance executive. Simpson (who, like her daughter, is white) did not approve of interracial dating, Buck says. By the time Alisa and William's son, Caide, was born in 1992, the relationship between the Bucks and Simpson was

strained but civil enough for occasional family visits. Buck says that when they quarreled—Buck once stopped speaking to her mother for several months—Simpson would ominously invoke the grandparents' rights laws of Missouri, the state in which she lived; the first legal salvo was fired in early 1996, when Simpson filed a Petition for Grandparent Visitation.

A visitation schedule was drawn up, and the first court-appointed get-together took place in June 1997. Buck says that during that visit, when she raised her hand to get her mother's attention, Simpson, apparently thinking Buck was preparing to block a blow, responded, "Don't worry! I wouldn't touch you after what else has touched you!"—a remark Buck took to be a racial slur against her husband. Moments later, when 33-year-old William Buck was escorting Simpson out of the apartment, he later told police, his mother-in-law assaulted him, kicking him in the leg. (She denies assaulting him.)

"There is a difference between rearing children and visiting grandchildren," insists Dixie Simpson, when asked about Buck's statement that her own upbringing made her ambivalent about having her mother spend time with Caide. "Most children feel parents are unfair. That's a judgment call, if someone is verbally or physically abusive. Do you call paddling 'striking a child'? In that case, yes [I did that]." When asked if she would ever paddle her grandchild, she replied, "I don't think so."

Simpson says she has no problem with William Buck's race: "If I had [racial] objections, I wouldn't be fighting to have a little mulatto boy running after me calling me Grandma."

The charges and countercharges have dragged on for more than four years; the next hearing is scheduled for June 26. Meanwhile, Caide hasn't had visits with Simpson, who says the boy's parents have "not made him available" to her. His younger sisters, Cailyn, two, and Kieran, one, have never met their maternal grandmother.

Asked why she's chosen to speak out in *Glamour*, Buck replies simply, "My hope is that people will read this and realize that an unfit parent doesn't suddenly become fit the moment a grandchild is born."

Alisa Buck, Jodi Arnold and Jana Anderson Shepard are all members of CRPR (www.parentsrights.org). Although their feelings about the grandparenting skills of their respective adversaries vary, there is one point on which they concur: Spending time with their children is a privilege that should be earned, not a right that can be mandated—not even by the highest court in the land. ©