Geraldine Stahly, PhD, professor at California State University San Bernardino, and her researcher assistants analyzed data from a national survey of protective mothers who were involved in custody disputes from 39 states. The following statistics are for the 163 California cases, which comprise 40% of the total 399 cases.

- **82% of mothers started with primary custody.** The custody disputes arose after separation/divorce.

- **88% of mothers reported being victims of domestic violence; half of fathers had criminal histories.**

- Allegations of physical and sexual child abuse arose in nearly all cases. In 75% of cases, children positively identified fathers as perpetrators. The children had serious symptoms, including sleep disorders, rage, regression, fears/phobias, pain, depression, dissociation, sexual acting out, suicide attempt, constipation/diarrhea, learning disability, and eating disorders.

- After mothers brought child abuse, child support, domestic violence, violation of court order, criminal conduct, substance abuse, move away, or spousal support to the attention of the court, judges ignored or minimized evidence of abuse and changed custody to the fathers.

- **Only 12% of mothers had primary custody after court proceedings.** Over half of mothers attempting to protect their children were restricted from all contact with their children, and nearly half were put on supervised visitation, at some point in the proceedings.

- **Over two thirds of the children continued to report abuse.** Over half of mothers stopped reporting abuse for fear their contact with their children would be terminated.

How can this system failure happen?

- **73% of mothers lost parenting rights based on an evaluator’s recommendation and 59% lost custody due to a mediator’s report.** A mere 4% of attorneys for children zealously advocated for their young clients.

- **98% of the fathers were represented by an attorney while the mother had no attorney.** Over half of hearings were held without a court reporter present, thus precluding an appeal.

- Most mothers believed there was unethical communication among court professionals, and between the fathers and court professionals.

- Financial factors are glaring. 27% of mothers filed for bankruptcy after spending a modal average of **$100,000** on litigation and 78% of the cases were still in progress.

It is clear from these data that children are being taken from their primary caregiving mothers and placed with fathers whom the children identified as abusive. The family court is not responding well to the plight of abused children of divorce.

As medical research shows, these children will have far-reaching negative outcomes in adulthood. It is incumbent upon family court to prevent such outcomes by keeping children safe and nurtured.

More information can be found at www.leadershipcouncil.org; www.centerforjudicialexcellence.org; www.protectiveparents.com; and www.distinctioninfamilycourts.org