

Spring-Summer 1991

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Spectrum

The magazine for Columbia and Montour counties



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Spring-Summer 1991 Vol. 5, No.1

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LIVING IN THE

DANGER ZONE

After relocating once, some former Centralia residents are forced to move again

by Michelle Epstein

Beautiful homes are perched on the hillside along Route 61 in Columbia County. The lawns are landscaped, the insides decorated. The owners planned to live in them and pass on the equity to their children.

However, some of the houses have boarded windows instead of lacy curtains. One house has a broken swing laying in the dirt, rotting into the earth. There's a stillness that surpasses the quiet beauty of this mountain region. It's a scene out of an eerie late night horror movie.

Linda Wallace's husband and brother built their house, believing in the American dream of owning and improving one's home. But the improvements didn't last long because they didn't build their home on just any highway.

They built their home just outside of Centralia. And the Wallaces aren't just any family. They relocated from the coal mining town seven years ago. They thought they left behind the horrors of the mine fire, the ceaseless struggles with bureaucracy, and the pain of up-rooting their family.

Instead, the struggle and the nightmare had begun again.

In 1984, when Linda Wallace's family first relocated from Centralia, she remembers the relief that came from leaving the danger behind. "I feared for my two young children, who used to play only blocks from where a young boy fell through a hole in the ground," she says. Now, she will have to move again.

To remember Centralia is to remember the families and the businesses that were affected by the mine fire that's been burning under the borough and the surrounding area since 1962. It wasn't until July 1983 that an Engineering Analysis report (GAI report) to the Centralia Committee on Human Development shook the town. It would cost an estimated \$660 million to rid the town of approximately 195 acres burning beneath the ground.

Another report from the U.S. Department of the Interior stated that

the major problem caused by the mine fire was the presence of hazardous combustion gases, in addition to carbon monoxide and carbon dioxide.

The Wallaces, like many families, did not want to move far from the area where they grew up, so they asked The

Department of Environmental Resources (DER) and U.S. Office of Surface Mining (OSM) repeatedly whether or not the area on Route 61, Locust Mt., was safe and far enough away from the fire. DER and OSM would not give the Wallaces an answer. They would only admit that it "could be" a potential danger zone. Still, DER and OSM did not tell them they couldn't move to the area. "The thing that is so frustrating is that they could have let us know," says Linda Wallace.

Six months after the Wallaces and others built their new homes, DER extended the impact zone to include Route 61. State legislation

"I feared for my two young children who used to play only blocks from where a young boy fell through a hole in the ground."

now forbids relocation funding for anyone owning or occupying a property after September 3, 1983.

The clincher came on July 15, 1985, when Nicholas DeBenedictis, Secretary of the Department of Environmental Resources, wrote a memo to The Department of Community Affairs and to the Disaster Program Division. The memo stated that because of the findings in the GAI report, the funds available from OSM—the remainder of the \$42 million allocated for relocation—could not be used for relocation purposes

“What the memo did was create an economic disaster for every family located on Route 61.”

in an area where people had knowingly built in a potential danger zone.

“What the memo did was create an economic disaster for every family located on Route 61,” says Klink. Immediately, twenty-six properties, sixteen of which were built before September 1983, lost much of their value and the local lending institutions were in a panic, says Klink.

Linda Wallace and her brother-in-law, Tom Wallace who lives next door, started to make phone calls in order to relocate from the area that was now considered an economic disaster. “We’ve been fighting this for six years,” says Linda Wallace.

Another resident, Tom Lynott, who owns much of the mountain and a house, took the matter to a state administrative hearing. Lynott lost his case for a buy-out of the land he owns because he intended to build a development, and it would have been almost impossible to create a sewer system along the mountainous acreage.

He did, however, win the buy-out of his house; the residents who had built after September 3, 1983, believed this would set a precedent for all of their properties. But the residents’ happiness was short-lived. Karen Miller, Secretary of Community Affairs, reversed the decision of the hearing officer.

Not knowing where to turn, Linda Wallace sought the recommendation of Klink. Although he has a contract with the state, Klink is outspoken in his beliefs. He recommended the families form a group and take their plight to U.S. Rep. Paul Kanjorski. Linda Wallace has a file, inches thick, of exchanges between the group and the state and federal government—but nothing was done.

It wasn’t until October 1990 that Kanjorski was able to get a bill passed through Congress that would include the remaining ten properties in the acquisition of Route 61. According to Michael Carroll, district



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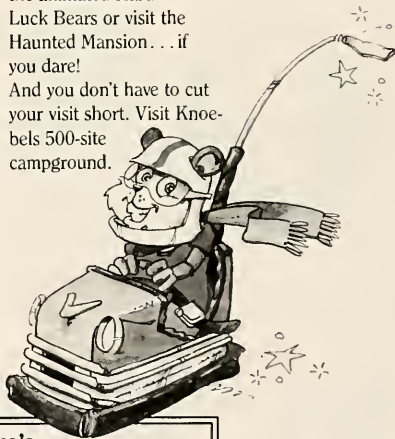
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director, Kanjorski is still trying to get additional relocation funds for twenty-nine families who were relocated in 1980-1981 from Centralia.

Those twenty-nine properties were given twenty percent less than fair market value because it was deemed their properties were on top of a mine fire and therefore constituted a twenty percent depreciation. "The reason we are having difficulty getting this issue resolved is that the appropriations committee does not want to set a precedent for other relocation programs," says Carol.

In order for the remaining ten families to receive the relocation money on Route 61 it was not enough for the bill to be approved. There is still the matter of red tape. Reports have to be submitted to DER, DCA, and finally to Redevelopment before the acquisitions can begin. "The money's there," says Linda Wallace. According to Klink, there is about \$9 million still available for relocation purposes.

"We're still waiting," says Linda Wallace, laughing slightly, an edge of sarcasm in her voice. "If DeBenedictis had done his job, none of this would have happened. Had this area not been deemed a danger zone, our properties would not have been affected. No one has shown evidence that the fire will spread this way."

However, Carroll says, it was better for DER to admit they had made a mistake in allowing families to move to Route 61 now, instead of waiting for the fire to actually move beneath Route 61. Linda Wallace pauses to look around her home—"When we move away from here, it will break my husband's heart."

Robert Netchel is one of only a couple of residents who is not interested in relocating. "Until I see evidence of a mine fire specifically approaching my house I feel obligated to stay," says Netchel. He has no children and is not concerned with equity. "We've put our love and sweat into building our home," says Netchel, "There's not

**"The reason we are having
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other relocation programs."**

enough money on earth worth leaving." He's sorry to see his neighbors go. "They've been good neighbors," he says.

According to Klink, Netchel and his wife will have a year to change their minds. The Relocation program has just been granted an extension to June 1992 in order to relocate and demolish the last remaining properties.

According to David Good, chief assessor for Columbia County, the value of the properties on Route 61 will be re-assessed by July of this year for 1992. "In a depressed area, such as Route 61, the re-assessed value will lower taxes in some cases as much as \$700." The houses are currently valued between \$23,000-\$95,000 according to the assessor.

Kathy Kuzma built her home eleven years ago, long before the

September 1983 legislation. "I've just agreed to the proposal for my house," says Kuzma. Although satisfied with the amount she will receive, she says she will have to build a much smaller house. However, Kuzma is upset with the salvage rights for this project. Originally in Centralia, those residents were allowed to take everything from the kitchen sink to insulation. "Most of the residents stripped their homes and sold what they could," says Klink. For this project, however, the residents must use what they take in their new home.

Kuzma's complaint is that since she is building a much smaller house, she will be unable to take everything she wants. Klink says that the salvage rights will be monitored and enforced. This will involve

"We have lost land once already because we didn't get the money. It's an awful waiting game. Now, we've found some new land and are just hoping that the seller will wait."

going into each and every new home and seeing that items, such as windows, sliding, and fixtures, taken from the previous home have been used in the new one.

Joe Martdrano, chairman of the building committee for Habitat for Humanity, an organization which is trying to eliminate poverty housing, says the group has asked if it can salvage the properties for their cause. "We hope to literally take the house down. It would involve getting 'big ticket' items, including sheeting, plywood and windows," says Martdrano. Redevelopment is cooperating fully, but it's the demolition contractor who will have the final say. "We believe the contractor will cooperate. We're a non-profit organization and any materials we take can be a tax deduction for the contractor," he says.

Sighing, Kuzma adds, "I wouldn't want to be here when my house is demolished. I couldn't bear to watch that." If leaving their homes, their memories, and their possessions isn't enough for the families to bear, they still don't know how much the proposal for their home will be. "I can't make any plans, we don't know when we're getting the money or how much we will get," says Thomas Wallace.

"All we've been told is that we will get fair market value for our home as well as relocation benefits," says Linda Wallace. According to Klink, two appraisals will be done and the higher of the two used.

Once the check is issued, residents will be given sixty days in which to vacate their homes. If they are unable to move out in sixty days, they will be required to pay rent to the (state) in order to stay in their homes.

"We have lost land once already because we didn't get the money," says Linda Wallace. "It's an awful waiting game. Now, we've found some new land and are just hoping that the seller will wait."

The new land is about six miles away. "We just hope it's far enough this time," says Linda Wallace. S

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Fighting



Losing Battle

by Matt Malinowski

A recent proposal to change the competition level for Bloomsburg athletics receives little response from the school board

Sophomore Mark McDonald can remember his spikes slowly sinking into the two inches of mud that covered the sidelines as he watched his Bloomsburg High School football team lose its final regular season game of the 1987 season to West Hazleton, 21-0. This was the beginning of what was to be a 28 game losing streak, one that would last the rest of McDonald's high school football career.

For over two years, the Bloomsburg Panthers could rarely keep games close, let alone have a chance to win them. However, just one season before the losing streak began, Bloomsburg won the Susquehanna Valley Championship and qualified for the Eastern Conference finals.

As with every slumping program, excuses are many. In this case, a member of the community believes the competition the school now faces is not equal to the teams it played when they won the championship in 1987.

Don Bridenstine, parent of a former Bloomsburg football player, noticed the team's recent struggles through the scores in the local newspaper. He believes the recent lack of success of the team is due to the greater size of their competition.

"You can't put the students up against impossible odds by asking them to play against schools that are considerably larger," says Bridenstine, who began looking for ways to improve the program last fall.

Bridenstine researched and compiled information, ranging from the population of local schools to the records of Bloomsburg teams over the last ten years.

He was not only concerned about the football program, but with all the "major"

sports. He discovered that the records of some sports over the last ten years were worse than the football team's. He brought this information to the next school board meeting to present his idea. The school board, however, showed little response to his request.

"I suggested the board review the school's athletic policy, in so far as who the teams play," he says. "I think we are playing a notch above where we ought to be in a couple of cases." Bridenstine points out that over a period of time, a team should be

winning about half its games. At Bloomsburg this isn't happening. Since there is not much housing being built in the Bloomsburg Area School District, the population of other area schools is increasing at a more rapid rate than Bloomsburg's. Bridenstine believes this lack of student body growth has contributed to the team's recent struggles.

When his son played a few years earlier, Bridenstine believed the school's population was more in balance with other area schools.

"If you're an A school, then why play a AAA school? It's out of your league."

Thus, he never believed the level of competition was too high. "I never tried to change anything then because it just never occurred to me," he says.

Adding to this problem, Bloomsburg offers ten male varsity sports, while some schools the same size offer as few as six. "The more sports offered to the student body, the thinner the spread of students in those sports," says Bridenstine. As a result, Bloomsburg football may be losing more athletes to other sports than their competition. "The object of sports is to win. But at the same time, it is to give yourself a chance to

win," he says. "With all other things being equal, numbers win."

Tom Lynn, former football coach and current athletic director of Bloomsburg, believes it is virtually impossible to compete with schools athletically if they constantly have the number advantage.

"The pool of athletes becomes the biggest concern," says Lynn. "If you have a pool of 200 people and a pool of 300, who's going to get the better people? You have a better chance to get good athletes with more numbers. And in football, it takes more than one great athlete to make a winning team. That is what the problem is."

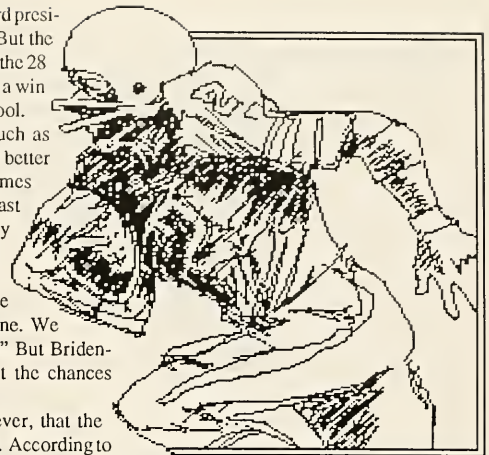
Bloomsburg is a Class A school, and in the course of one season, the Panthers must play nearly half their schedule against AAA schools. "If you're an A school, then why play a AAA school?" asks Bridenstine. "It's out of your league." Current coach Bob Quick agrees with Bridenstine. "When you play against a larger school, you don't just lose the game, you also lose physically," says Quick. "You can lose athletes [to injury] during those games. It hurts your chances against schools your own size."

It is ultimately the school board's decision to accept Bridenstine's proposal, and

Dr. Gerald Powers, school board president, initially agreed with it. But the mood of Powers swayed after the 28 game losing streak ended with a win over Selinsgrove, a AAA school.

"Some smaller schools, such as Southern Columbia, are much better than bigger schools when it comes to athletics," says Powers. "Last season we were beaten badly by some smaller schools, and then we beat the biggest school in our league. That's the point we are trying to make to Bridenstine. We may not win if we move down." But Bridenstine points out that "at least the chances would seem to be better."

Powers did suggest, however, that the league may need readjustment. According to Powers, the league could be split into two divisions, one with the bigger schools, the other with the smaller. This way, the smaller schools could still play the larger ones, but losing to them would not hurt in divisional play. It also would let schools judge where they stand among other schools of similar size. However, Quick points out there is a major flaw in this idea. The initial problem is whether or not there are enough schools to



make another division, and the major problem is finding schools from the area that fit into the small school category.

Bridenstine says he is a little disturbed nobody else has stepped forward to the school board to help his cause. "Everybody I have talked to has agreed with me, outside of the school board," he says. "I'm not aware of anybody who's done anything to support it."

Some support for his proposal came from

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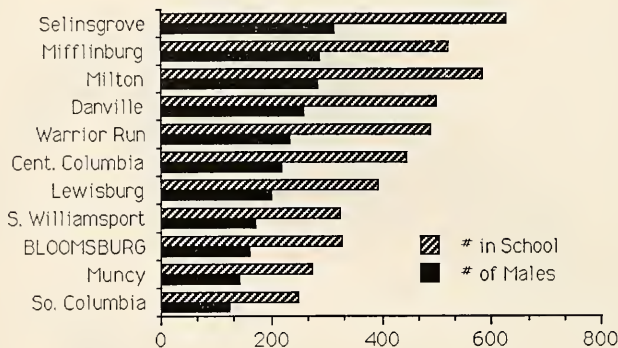
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School Populations 1989-90



Data Provided by Bob Quick and Gerald Powers

the *Press-Enterprise*, which gave Bridenstine a rose in its weekly "Roses and Thorns" section for his idea. Lynn says his attitude towards the subject has changed from the time he was a coach to athletic director. When coaching, Lynn believed his team was often overmatched. "You can't put a 119 pound wrestler up against a 185 pound wrestler.

We're at the point where we've reached that," he says.

As athletic director, Lynn believes he must be fair to all sports. If the level of competition would drop for football, then it would have to drop for every sport. "Football is apparently all that matters and other sports should," says Lynn. "We have good records

against other schools in different sports other than football." But Bridenstine's research shows that the other major sports have had less success than football, one being wrestling, which hasn't had a winning season in years. Lynn does say, however, the issue is under constant evaluation, and Powers confirms this, saying the issue is brought up after every season for each sport.

Lynn believes a big problem with the issue is that the population of the school is constantly fluctuating. "We can schedule all A schools now and in two years possibly be a AA school," Lynn points out. "We could be the best football team ever assembled and not get the points to play for a state title."

The district point system makes dropping the level of competition a problem. District ratings are computed by the number of victories and the size of your opponents.

A victory against any size school is worth five points. You receive four additional points for playing a AAAA school, three for AAA, two for AA, and one for A.

Hence, a victory against a AAAA is worth nine district points, but just playing them, even if you lose, is automatically worth four points.

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are AA and A make it difficult to enter the post-season district playoffs.

However, Quick and Bridenstine believe it isn't always necessary to play games for this reason. "Do you play a football season solely for district points, or do you try to play your best football every Friday night?" says Quick. "I'd rather have a successful regular season by having a chance to win every game than play in any post-season game."

Regardless of how strongly he believes, Bridenstine says he is not going back to the school board to press the issue. "It doesn't make any difference to me if they don't make the change," he says. "I think it's unfortunate that the kids are playing against odds they don't have to play against. I just thought it wouldn't be a bad idea. But they don't see it that way, for no good reasons I can think of. At least give me something back that says, 'This is why you are wrong.' That's what's a little disheartening." The topic was discussed at the next school board work session, but little was done about it. He's not upset the issue was not approved nor dropped, but rather the

fact there was seemingly little response. However, Powers and Lynn say the issue is "always being looked at," and something may be done in the future.

Perhaps it's up to the students themselves to speak up on the issue, for they are the ones who must endure the bumps and bruises on the gridiron. When McDonald, currently a freshman at Bloomsburg University, looks back at what should have been his "glory days," he says sullenly, "I loved football, but to work so hard practicing every day and never get any results was very disappointing."

Still, Powers believes that results don't always separate the winners from the losers. "Any kid who can put on a uniform, lose 28 games, and not quit isn't a loser. That to me is a winner, because not everyone can do that," says Powers. "In sports, we always get hung up on winning. But you don't always learn things in life by winning."

It's been said that it's not whether you win or lose, it's how you play the game. But after two and a half years of losing, maybe it's time to give Bloomsburg a fair chance to win. S

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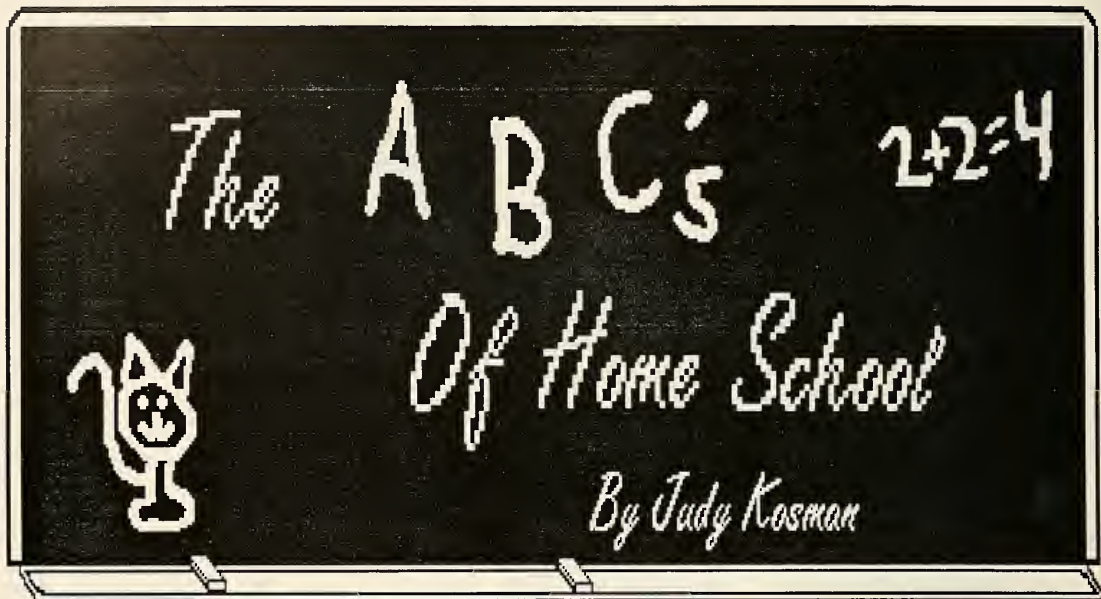
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The school bell never rings for the Marzewski children, but recess comes just the same, bringing different kinds of amusement to each child. Jason puts away his seventh-grade history and math books and reaches for sketching paper and a book of military planes. Esther, a second-grader, reads a book about sea otters to her little sister Sara who clutches a doll almost half her size. These are the only three at recess today, but the Marzewski living room wasn't made for many more.

Learning has always been a part of the Marzewski's home life. But, since September, Jane Marzewski has accepted the responsibility for her brood's complete education. She is one of an increasing number of parents in Pennsylvania who have turned to home schooling.

According to Dr. Ken Miller of the State Department of Education, 3,500 to 5,000 parents in the state have opted to explore home schooling as an alternative to formal education. These parents are distributed across 500 school districts. And Miller says that he believes the incidence of home schooling is on the rise. "I suspect the number of home schoolers is increasing," he says, "but it is a pocket phenomena in which certain areas are going up while others remain stable."

Having joined the increasing ranks of

home schoolers, Marzewski now spends her days in the "school room" of her home—a room outfitted with desks and various school supplies. The three children can often be found there together, in a one-room school house situation, listening to one another's lessons and working on their assignments for the day. Jason works with his mother daily on history, math, english and science. Esther concentrates on reading, writing, and spelling. And Sara, at a level just below kindergar-

room in the Marzewski home. She often interjects lessons into her children's recreational activities and chores.

"I like to give them lessons when they don't know they're learning," Marzewski says. When the children help her bake, for example, she tries to explain mathematical concepts like fractions, and the chemical properties that explain how yeast makes bread rise. And in the car, she challenges the three to discover why frost covers the windshield on cold nights.

This kind of freedom was not always given to parents, according to Miller. Prior to 1988, the superintendent of the local school district had to approve a parent's home schooling plan. However, the courts said this practice allowed for too much inconsistency within the state system.

Now, restrictions on home schoolers are considerably less. A parent who wants to teach in the home must submit an affidavit to their local school district. The parent must have a high school diploma or its equivalent which is determined by a General Educational Development (GED) test. The home school supervisor candidate must also submit a statement of teaching goals and objectives and undergo various criminal history checks.

The parent may or may not choose to

"I believe the school system tries to convince people they are too dumb to teach."

ten, delights in any lesson her mother has to offer her. She especially enjoys listening to stories and participating in her older siblings' classes.

Marzewski intends to follow the 180 day requirement of many school districts. But, she notes these days will have more natural breaks than in a public school. "We may go a little later one day if the lesson we're working on requires more time," she says. "This way, I can be sure that I have completely covered the material."

But learning isn't restricted to the class-

follow the curriculum of the school district. However, the home school supervisor must keep a log of what has been taught and a portfolio of the child's work. This material is reviewed once a year by an evaluator who delivers a testimonial to the school district.

Home schoolers are required to teach five hours per day for elementary children, and five and a half hours per day for children over twelve. The parents may conceivably teach from kindergarten through grade twelve if they choose to do so.

However, unless a special formal education process is followed, the state is not obligated to supply the child with a diploma, says Miller. This can cause problems if the child wishes to go to college. In such cases, the child would have to pass the GED or high school equivalency exam.

Most colleges have realized that home schooling is a viable option to formal education and have had to make policy decisions about home schooled admission candidates. "We do not discriminate against them," says Bernie Vinovski, Director of Admissions at Bloomsburg University. "But, they must have competitive SAT's and a high school diploma in order to be considered." However, Vinovski says, if the applicant does

Even more than her lessons, Sara loves having her mother and siblings home every day. Today, her mother reads to her about sea otters.



Photo by Jennifer Moon

not have a diploma, a GED is an acceptable substitute.

Having made the decision to educate at home, Marzewski had to make arrangements with the Millville Area School District. "They

(the school district officials) make sure you have the child's best interests at heart," Marzewski says, "and are not just playing hooky."

"Parents teach their children from con-

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Photo by Jennifer Moon

Jason, Esther, and Sara Marzewski spend an afternoon learning about finance and mathematics the old fashioned way—through a rousing game of Monopoly.

ception on up whether they realize it or not," Marzewski notes.

"But, once children reach a first grade level, they [the schools] try to tell us we're no longer qualified. I believe the school system

tries to convince people they are too dumb to teach; that just isn't true."

Marzewski taught second-graders in Alabama for a year and a half. She left teaching to go back to college, where she met her

husband David. She says she was very optimistic about teaching at that time but, "that was twenty years ago, and things are different now."

Dissatisfaction with the school system first encouraged Marzewski to research home schooling possibilities. "My son was terrorized by a kindergarten teacher who screamed at the children and told Jason he was an idiot," she says.

According to Marzewski, her son's teacher did not follow up on lesson material properly and then blamed the children when they didn't understand her. "She would tell the class to write the numbers from one through a hundred," she says. "But, she did not check their progress during the exercise; so, she was not there to help them if they had made a mistake at ten."

In his later school years, Jason developed a real problem with math and did not enjoy school. Finally, his mother entered him in a private Christian school where he could get more personalized instruction. "But, by this time he had a lot of catching up to do," she says. "He needed more individualized attention than the school could spare."

"I feel I am the best person to tell my children what life is all about. Why settle for second best?"

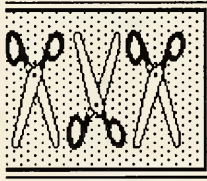
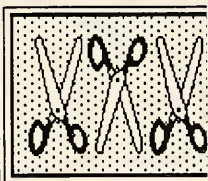
In a classroom with fifteen to twenty other students, children will often let their minds wander. But, Marzewski says, on a one-to-one basis, if the child tunes out, you can bring him back immediately.

Marzewski feels the school system is not ideal for educating children. In such a system, children are more influenced by peer pressure than by anything academic, she says. At home, she believes, her children can concentrate on learning.

"My children don't feel they have to have the latest thing all their friends are getting," she says. In this way, Marzewski believes her children have more time to devote to learning. "I think they are happier people," she says. "They are more relaxed and can go at their own speed."

Explaining her dissatisfaction with the established system, Marzewski points also to the drug dealings and inappropriate language

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of many school children. She believes there is a flaw in a system which produces young children who do drugs or talk trashy. "It's simply a matter of economics," she says. "If IBM makes a computer that spells words wrong, it will not put more money into the project in a hope that the problem will work itself out. Instead, the company will redesign the product." As a result, she believes home schooling might be the way to clean up the educational system.

While Marzewski may believe in guarding her children from some of life's harsh realities, she does not think she is overprotecting them. "I don't think other people can say what my children should or should not be sheltered from," she says. "They don't need to hear about life from a peer pressure group. I feel I am the best person to tell my children what life is all about. Why settle for second best?"

Applying an article she once read concerning the question of over-protection, she says, "Suppose I buy tomato plants and raise them in a hot house. When they

are ready to put in the garden, I can do one of two things. I can; a) Put them directly in the garden and allow the weaker seedlings to shrivel up in the weather; or, b) Harden them off, a technique which exposes the seedlings to open garden conditions for small periods of time."

The question of home schooling surprised the Marzewski children at first. "She popped it on us," Jason says. But, he notes he enjoys home schooling because he gets out earlier, has less pressure, and understands his lessons better. Esther finds she can go at her own pace now. In fact, Marzewski says she often gets ahead of her lessons. And Sara just enjoys having her siblings home with her and being included in their lessons.

Marzewski chooses her own teaching material. She has found five or six companies that produce what she feels to be high quality lesson plans.

However, she is disillusioned with the standardized tests which many companies offer. These tests don't always follow the book, many times don't make sense, and include several wrong answers.

"I often test orally during the course of the lessons," she says. "This way the children

are being tested not to make the grade, but to understand."

She must also decide what she wants to teach her children. The state teaching curriculum varies a great deal, especially in the upper grade levels. At these levels, the individual student often chooses between a variety of history, geography, and science courses. Marzewski, however, has a broader plan for her seventh grader. "I would like him to know his way around his own world, to know how the world got to be where it is today, and to be able to express himself and his views," she says.

So far, she has seen a great deal of progress in her son. "He has more confidence in himself," she says. "He's grown as a person." Marzewski says Jason is still having trouble in math, but his judgment abilities are improving dramatically. Also, she notes Esther has raised her reading level.

Despite the apparent success with her children, Marzewski notes there is a movement against home schooling. "Some parents think you miss out on a lot by not going to high school," she explains. "I don't feel that way. And I have just as much right to my opinion." She does not worry that her children are lacking in socialization; she says all three have friends in her neighborhood and are active in various recreational activities.

Marzewski also believes she can be objective in the content of her children's lessons. "If a question of contradicting theories comes up, I tell them, 'I believe this, and some day you must make a decision between the two.'" For example, she remembers a time when the question of creation versus evolution arose during one of her son's lessons. Marzewski and her son took a trip to the local library and found as much reading material as both sides of the issue had to offer. "I believe the school district, following a theory of secular humanism, often shows only one side to this issue," she says. "I want my children to explore both possibilities."

Overall, Marzewski finds home school well worth her efforts. "I'm enjoying them," she concludes. "I'm proud when I see that I've taught them something. And I learn a lot too. I'm excited about next year. There are so many neat topics to study. I guess my biggest problem is that we can't learn it all." S

**"There are
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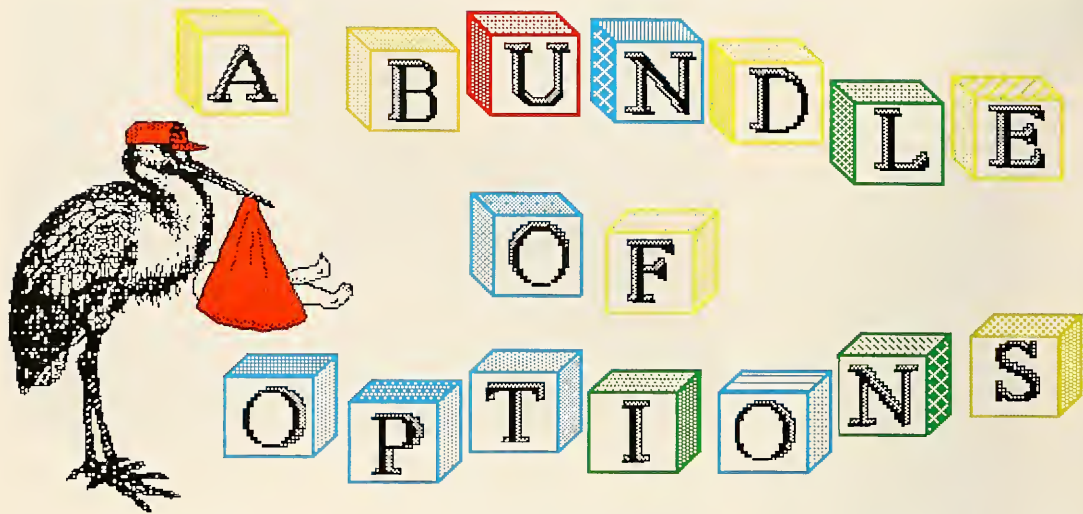
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by Kami Silk

Hospitals. Facilities that treat the sick, injured, and diseased.

Yet, they're also facilities that routinely deal with healthy women whose only "illness" is pregnancy. Because of this, society and the medical profession have labeled pregnant women as patients.

"Today's pregnant women are treated as though they are ill," says Winona Cochran, registered nurse, lay midwife, and assistant professor of psychology at Bloomsburg University. "Healthy women are put in the hospital with people who are ill and infectious. Birth is a natural process."

Advancements in technology have given amazing abilities to obstetricians. A woman can now discover prior to birth, not only the sex of her baby, but if she is expecting twins, any physical defects or retardation, and other problems well before the baby is born.

But these scientific advancements are motivating some women to find alternatives to hospital birth. They want to experience birth as a natural process rather than a clinical one.

"It never occurred to me that I wouldn't have a hospital birth," says Loanne Snavelly, mother of two children born at home with the help of a midwife. "My husband and I ran into a friend when I was about three months along in my pregnancy. His wife had their two children at home and he was very knowledgeable on the subject."

According to Bonnie Johns, head nurse of the Maternity Center, Bloomsburg Hospital, most women opt for a traditional delivery. "Most people are happier with regular lithotomy (laying on their backs) births," she says. "Only about 25 percent of our women decide to take advantage of our birthing room."

Birthing rooms are delivery rooms set up to resemble a home atmosphere. They have a television, dressers, and a comfortable bed with all the options of a hospital bed. They

"It never occurred to me that I wouldn't have a hospital birth."

offer the comforts of home and the security of the hospital. "They're the best of both worlds," says Kelly Peiffer, a registered nurse who previously worked in a maternity ward. Peiffer had her two children in a birthing center in Mishawaka, Illinois.

But for many, the birthing room is not as good as home.

"One of the best feelings for me was holding my babies when they were brand new, wet creatures," says Snavelly. "It was important to me to hold my babies immediately after birth. Some hospitals have an unwillingness to ensure mothers their babies will be with them."

"Also, I liked knowing who would be there. In the hospital many different nurses and doctors, or strangers, would be in and out during my labor."

Many women say being at home makes the birth easier because the familiarity is relaxing. Husbands and children are also able to play major roles in the baby's birth.

Concern for safety is one of the principle reasons women do not consider home birth. Intuitively, people assume a hospital has to be the safest place, but many home birth advocates point to some statistics that prove this wrong.

Some studies indicate home births may actually have fewer problems than hospital births. Hospital-born babies greatly exceeded home-born babies in abnormalities, injuries, and infections. These surprising results may have something to do with the fact that midwives will not take on high-risk pregnancies, and women who are considered high-risk most likely want to have their babies in the hospital.

"Midwives don't take chances," says Cochran. "We monitor the women during labors and if there is any indication of problems we go straight to the hospital."

There are two kinds of midwives. Nurse midwives are registered nurses, lay midwives are either trained and apprenticed, or go to schools specifically designed for midwifery. There is a national certification process, but it is not federally mandated that nurse or lay midwives be certified. The law varies

from state to state concerning the qualifications, education, and licensing of midwives.

Elaine Francis, certified nurse midwife, Geisenger Hospital, explains that nurse midwives are legal in all states, but only in a few states are lay midwives legal. Lay midwives are not trained like nurse midwives and a distinction should be made.

Two years ago, a bill was under consideration in Pennsylvania dealing with the legalization of lay midwives. Surprisingly, an entire community of Amish women came to testify on behalf of the profession. This made an impact on the court because the Amish are private citizens who rarely venture beyond their own small community. For the Amish, midwifery is a common practice, but for many it is a complex issue that requires serious consideration.

"It was not a spur of the moment decision," says Snavelly. "We met with Mary Hostetler (a lay midwife) twice before the actual labor. The first time was to talk about our reasons for wanting to do it this way and to see if she thought I was a healthy candidate. The second time was to discuss how to prepare for the actual labor. She also recommended prenatal care with my doctor."

Some doctors feel midwives may put not

only their patients at risk, but also the doctors themselves. Curtis W. Vickers, M.D., Bloomsburg Hospital says, "Doctors have to carry heavy liability and malpractice insurance, while midwives don't have to carry nearly as much. I'm not upset about this until I have to pick up the mistakes if something goes wrong with a home pregnancy. I'm stepping in front of the firing lines (for a liability suit) as soon as I agree to work on the mother and child."

Vickers carries a \$1 million liability insurance policy, which costs him about \$34,000 a year. "Overall, \$34,000 is a reasonably low amount compared to cities like New York and Philadelphia," says Vickers.

This fear of a lawsuit is what prompts many doctors to practice defensive medi-



Loanne Snavelly proudly displays her new child, Elody, delivered by midwives Mary Hostetler (left) and Becky Smith.

cine. They may do certain things just to cover themselves in case something goes wrong.

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will do with a chart because we can be sued for not doing enough. We are forced to practice defensive medicine. So doctors may do exotic tests to ensure they did everything possible for their patients," says Vickers.

This defensive medicine, according to Vickers, could sometimes lead to the use of more drugs during a pregnancy and labor than is actually required.

"The more drugs a mother receives the more other drugs she will need to counteract the effects of the original ones," says Cochran.

Instead of letting nature take its course, many doctors follow a theory of interventionism. Despite advancements, the number of obstetrical interventions has increased rather than decreased in the last decade. The odds of surviving a high-tech birth are good, but many of the subtle risks are causing women to look for other alternatives.

Pregnant women are finding that laying horizontal with their feet up in stirrups is not the position most comfortable for them. Delivery rooms are designed for the convenience of doctors, not mothers. They do not want their labors to be induced because other women need the delivery room or doctors are

scheduled elsewhere. They do not want a variety of drugs that are not really needed.

"I was really glad to have Mary (Hostetler) there because it was a long labor with Joseph, my first child," says Snavelly. "She had the ability and knowledge to speed it up by encouraging me to move around and squat.

"People tell me, 'Oh you're brave,' but I had confidence in Mary and felt comfortable and safe about having my babies at home."

If I were in the hospital they may have thought the labor wasn't moving along and gave me Pitocin or something to speed the delivery up. Mary had the intimate knowledge on how to deal with it naturally." Pitocin is a brand name for oxytocin, a chemical that causes the uterus to contract and therefore induce labor or accelerate existing labor.

Another common practice used to speed up births is the episiotomy. A cut is made with scissors through the skin and muscle of the perineum, the area between the vagina and rectum, to increase the space for the baby to pass through. After the birth, the area is stitched up and this sometimes leads to infection. "Most doctors at our hospital (Bloomsburg) do episiotomies," says Johns. "Infection depends on the mother's personal hygiene habits and the technique of the physician."

For some doctors, episiotomies are an intervention to avoid other problems. "I don't automatically do episiotomies," says Vickers. "It's done to prevent extensive tearing. It's a nice clean cut instead of ragged edges that may not tear in just one spot—there could be a dozen tears."

But many times there may be no damage at all. Nancy Fleming, Ph.D., a certified nurse-midwife and clinical director for Comprehensive Women's Health Care Center in Hinsdale, Illinois, says, "When an episiotomy is not performed, over one-third of the women will *not* need any suturing following birth, and at least half will sustain perineal damage (tearing) of a milder degree

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than if an episiotomy were performed."

"It's a routine procedure for a lot of doctors, but I would rather take the chance of tearing than have an episiotomy and not need it," says Snavelly.

The decision to do an episiotomy cannot be made until right before delivery. It is a judgment call for doctors and midwives.

Women who use a midwife believe they have a more personal experience than with an authoritative doctor. "Mary is such a warm and gentle person. She inspires confidence and warm feelings and I was glad to have her at my two children's births," Snavelly says about her midwife.

Peiffer had a certified nurse-midwife at her two birthing room labors. "Marta (her midwife) was not only my friend, but also my partner during my labor," she says.

Cost is another consideration in choosing home births or birthing rooms over regular hospital deliveries. According to Dorothy Folk of the credit office of the Bloomsburg Hospital, a normal delivery with a two day hospital stay costs approximately \$2,500, excluding all physician fees and prenatal care costs.

Sometimes birthing rooms are considered outpatient facilities that require less

than a 24-hour stay, cutting down on room costs.

In addition, drugs, fetal monitors, and other equipment that increase cost aren't often needed. Although cost is not the most important consideration, home births are usually less expensive than hospital births.

"It would have been cheaper for me to have my baby in the hospital because we were completely covered with our insurance," says Snavelly. "But we wanted to have our children at home and our insurance didn't cover it."

According to Scott Dugan, a representative from Blue Cross-Blue Shield, policies vary, but some do provide coverage for the professional services of a certified nurse-midwife. Birthing rooms are covered under most insurance policies. Coverage is not offered for home births. Dugan says, "There are no costs to cover because a professional facility is not used."

Birthing rooms and home births may seem like a step backward to some, but for others it's an alternative to what hospitals have to offer. "People tell me 'Oh, you're brave,' but I had confidence in Mary and felt comfortable and safe about having my babies at home," says Snavelly. S

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T R A V E L I N G T H R O U G H T I M E

by Dan Trexler

Henry Knoebel had a dream. That dream was to create a family amusement resort on a plot of land owned by his grandfather. Henry, who bore the same first name as his grandfather and was called "H.H." to avoid confusion, began to envision his dream coming true when locals began to frequent his "Swimmin' Hole" which was located on the waters of Roaring

Creek and Mugser's Run. Daring swimmers would dive into the sparkling waters from a covered bridge near the site.

The resort itself has a long and interesting history that dates back to March 7, 1775, when John Penn, governor of the province of Pennsylvania, signed a deed to transfer 292 and a quarter acres of land to John Salter, for 14 pounds, 12

shillings, and 3 pence farthings. This plot of land, then known to many in the area as "Peggy's Farm," is much of what now comprises the resort.

In following years, the land changed owners several times, some sections being sold off and others added, until 1828, when Rev. Henry Hartman Knoebel purchased it for the sum of \$931. This purchase officially began what is known today as Knoebel's Amusement Resort.

The park, under the direction of "H.H.," continued to attract many funseekers from the area throughout the years.

With the addition of a concrete pool to replace the "Swimmin'



THE PHOENIX

Hole," a steam-powered carousel (the park's first ride), and a restaurant, the park officially became recognized as Knoebel's Amusement Resort, in 1926.

Joe Muscato, director of park advertising and public relations, attributes the park's success to the strength of the Knoebel family throughout the years of the park's existence.

"There was no reason for the park ever to succeed, except for the hard work and dedication on behalf of the family," he says. "We are now a tourist destination—I think we've reached that distinction."

Knoebel's has also prided itself in its ability to expand with the



Photo By Allen Ambrosini

Knoebels continues to provide excitement with The Grand Carousel (left), the resort's first ride; The Giant Flume (right), the latest ride; and The Jet Star (below).

Photos by
Terry Wild

times, while still being able to remain a family-oriented park. "Since 1985, this park has exploded in terms of size and status," says Muscato, adding that this has a great deal to do with the park being named the fortieth largest in the United States, based on attendance figures.

Since the "explosion" in 1985, the park has consistently added new rides and attractions, overseeing the setup of each and every one to assure safety and the maintenance of the family atmosphere.

"We just added the flume ride," said Muscato. "We did

more with that project than a typical park would do. When that ride opened, we knew as much about it as anyone."

These days the amusement resort is run by the third generation of the Knoebel family, with Dick Knoebel serving as the general manager and president.

"We are going to maintain the natural beauty of the park," says Knoebel. "We take an aggressive attitude on pleasing the customer with quality service, with polite service in a pleasing atmosphere." **S**
(Additional research was done by Diane Wojnar.)



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Into the Wild Bloom Yonder

By Jane Mehlbaum

When he was 15, Bill Barstler lied about his age to begin working as a lineboy at Columbia Airways. Working 4 p.m. to midnight at forty cents an hour—a decent wage back in 1943—Barstler gassed and cleaned planes. He was forced to quit when his bosses discovered his true age a few months later.

Forty-eight years later, after finishing high school and spending two years in the army, Barstler is now the president of Columbia Aircraft Services, owner of the Bloomsburg airport.

The airport, located on the east side of Bloomsburg on the banks of the Susquehanna River, was built in 1932 by industrialist Harry L.



BLOOMSBURG, 1986

Magee. In 1945, Magee sold the airport to the town of Bloomsburg with the understanding that it would remain an airport.

In the early 1950s it was taken over by Columbia Aircraft Services, which today is owned and operated by its employees. "The airport pays rent to the town," says Barstler, "but the expenses, such as lighting, cutting grass, plowing snow, repairs to the buildings, and insurance are our responsibility."

The airport employs seventeen full and part-time employees and is the second largest engine builder on the east coast. Not too many people know what kind of work is done there, but Barstler admits they have so much business right now they can't take care of it, yet none of the workers are complaining.

Columbia aircraft provides many services for companies with their own airplanes, including reconditioning, as well as building engine parts and performing fifty and one hundred hour inspections.

Most aircraft coming into the airport today have business connections, and, on a busy day, Barstler and his crew will see 100 to 150 planes land. However, these planes often are carrying engine parts being dropped off for service, or people flying in on business.

Geisinger Medical Center, Danville, uses the airport to fly in teams of surgeons and organ donations; industries use it to fly business in and out; salesmen fly in to deal with local clients; and veterinarians, as well as undertakers, also benefit by its availability.

"Very little recreational flying is done out of the Bloomsburg airport, says Barstler. "You'd be surprised at the people who come in here and say 'Can we go for an airplane ride?'" Because of liability and changing times, pilots are reluctant to take people up. "It's almost a thing of the past, and that's too bad," he says, remembering, "It used to be nice to see people come down on a Sunday. They'd wait for somebody to take them up, and when they went up they really enjoyed it."

Accidents are something those Sunday flyers saw very little of at the Bloomsburg airport. According to Barstler, aviation is a lot safer than most people think, and he and his staff make it a main priority. "I've got a

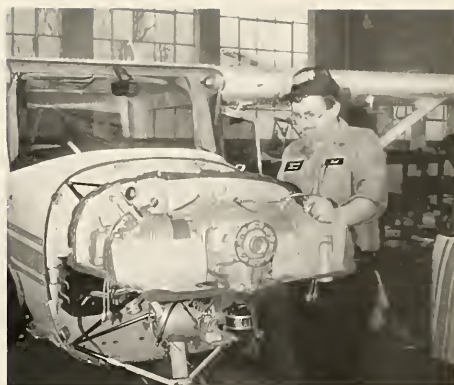


Photo by Jennifer Moon

Karl George repairs a plane's engine in the shop at Columbia Aircraft Services.

very conscientious crew and they do a nice job," he says. "Most of my people have been here for fifteen and twenty years; there's been very little turnover."

Most accidents occur as a result of pilot error, according to Barstler. "Not too many mechanical errors occur," he says, "you're given a lot of indication that something is

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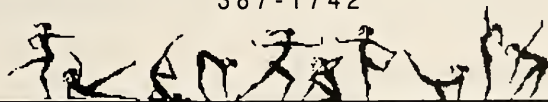
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going wrong, and you should be on top of what you're doing."

Unfortunately, accidents do happen. In 1984, a Harrisburg woman, flying an aircraft she was not accustomed to, panicked when she approached the runway, made a bad landing, crashed, and was killed. Two weeks later, in a separate incident, a man put his plane in the river. Fortunately, no one on board the craft was injured.

Barstler warns that the river is always a threat. "We watch it very closely," he says. During the flood of 1972, Barstler says, "we had six feet of water in the office. Since then we've been a lot more conscious of it. We lost everything and had to start all over."

New York state has also added a few dams, which reduced the number of sudden rises that affect the portion of the Susquehanna River flowing by the airport. According to Barstler these dams create more control of the river and they notice it in Bloomsburg. "We know if the flood gates are closed, we have a little more time here."

Barstler and his crew are continually trying to bring the airport up to 1991 standards by clearing the approaches, putting new lights in the proper areas, and properly marking buildings in the way. "We're in the

first phase of expanding the airport," says Barstler, pointing out, "we put a new apron—the parking area where the tie downs are—in last year." Barstler also says that they are

"It used to be nice to see people come down on a Sunday. They'd wait for somebody to take them up, and when they went up they really enjoyed it."

very close to a settlement in which they would acquire the land on the east end, which is in Scott Township.

Attempts are also being made to lengthen the runway, which is currently 2,800 feet long by 50 feet wide. Barstler is trying to obtain federal funding that will increase the

size to 3,700 feet long by 100 feet wide to give a larger safety margin. A parallel taxi would also be put in to free up the runway, where all planes are now forced to taxi, which, according to Barstler, is very dangerous when there are a lot of planes coming in and going out.

Although the extended runway will add to the safety of the airport, it will have no bearing on the size of the aircraft flying into Bloomsburg. According to Barstler, many insurance agencies do not want their aircraft coming into a field that is less than 3,600 feet long.

There are some people, however, who use the airport for something other than business. Bud Thiel, Nescopeck, is a recreational flyer. "I started flying in the military," says Thiel. "When the war ended, I started flying out of Bloomsburg." Thiel has been flying out of the Bloomsburg airport since World War II when it was nothing but a grass field with no runway.

During World War II, along with an Army Air Force program, the Navy asked Bloomsburg State College, one of only four colleges in the country to conduct specialized training for Navy flight instructors, to train V-5 and V-12 cadets out of the airport.

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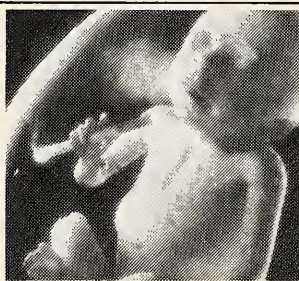
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This two-year program, 1943 through 1944, resulted in the training of 250 Naval flight instructors.

Although military training is a thing of the past at the airport, there is still some training taking place there. Through the efforts of the Parlor City Flight Club (PCFC) and its instructor, Dick Sharrow of Millville, people can still learn to fly.

PCFC—formed in 1965 by Mike Boslego, Columbia Aircraft Services' stockroom clerk, and three others—has about sixty local members who fly just for the fun of it. About one-third of its members are beginning students. "It's a cheap way to learn," says Sharrow.

Members pay an initiation fee of \$100, plus monthly and flying fees of about \$40. There is also a charge of \$20 per flight.

Sharrow says most people in the club use flying as a means of relaxation. "This is my hang-out," says Sharrow, pointing out that, "some people go to bars, other people go to airports."

He also sees flying as a hobby. "It's a good routine break. That's what most people in the club use flying for," he says. "It's no different than boating or snowmobiling."

Flying, according to Sharrow, is also a way of keeping your ego in check. "No matter how big your ego gets down here," he says, "when you get up in the air and see how small you really are, it puts you right back into perspective."

Along with recreation and relaxation,

**"When you get up in the air
and see how small you
really are, it puts you right
back into perspective."**

Sharrow also sees the airport as a benefit to local business. "Airports bring in a lot of commerce," he says. "One of the first things asked when developing a new business is 'where's the nearest airport?'"

In order to accommodate this influx of commerce, the Bloomsburg Airport has had to make a few improvements over the years. "We've added additional buildings, shop space, and stockrooms," says Barstler, pointing out, "it's just been in the last couple of years that we've added a new hanger." The

airport also has the added plus of an above ground fuel system.

After forty-eight years of working at the airport, Barstler and his crew have seen many changes in aircraft. In the first decades of flight, all planes had open cockpits and, as Barstler puts it, went through a series of stages. "First they had skids on them for tail wheels, then they went to tricycle landing gear," he says. Weight-per-horsepower has also significantly increased since then. A popular plane in those days was the Ronca C3—often referred to as the "flying bathtub"—with only 36 horsepower. Today, most engines have 400 to 500 horsepower.

In 1979, after spending thirty years in the shop building engines, Barstler became manager of operations and president of the employee-founded corporation. Now most of his time is spent in the office and away from the planes. "I soloed back in the 1940s," he says, "but I like this end of it better."

After forty-eight years with one employer, Barstler, somewhat reluctantly, is now considering retiring. "I hate to think about leaving," he says, adding, "I work with nice people, I have a good job, I like what I'm doing, and I hate to give it up." S

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NUTRITION ROUNDUP

BUFFALO

by Renee Farrell

“One buffalo burger, medium-well please,” orders a customer dining at Fireplace Restaurant, Tunkhannock. More than one hundred restaurants nationwide feature buffalo on their menu, and this number means good business for Larry Law, Sweet Valley. On his sixty-acre farm, Law raises a herd of thirty-eight buffalo gathered from as far as South Dakota, primarily for slaughter.

Law is one of twenty-five people in Pennsylvania who raise buffalo for commercial purposes. “Of what I have retailed so far, I expect fifteen to twenty returning institutions, distributors, and wholesalers,” says Law. “The demand is there. In fact, it far exceeds anything I produce.”

With the recent increase in concern over nutrition, buffalo-rearing may be the “thing to do.” Historically, buffalo served as an important protein source in maintaining the physical health of the Native American Indians. Now it returns as a lean red meat source with all the important characteristics today’s health conscious consumer demands. Research conducted by the National Buffalo Association and the American Bison Association indicates that buffalo, as a red meat, is surprisingly low in cholesterol and fat.

“Hamburger meat is 25 percent fat,” says Law. “That’s fine if you don’t expect to live past forty.” Comparisons of the nutritional values of buffalo have shown that buffalo meat is low in fat and calories and high in protein and nutrients. Research conducted in 1988 by independent producer, Triple Seven Ranches, South Dakota, indicates that a three-ounce serving of buffalo contains 1.8 grams of fat, 93 calories, 21.7 percent protein and 43 milligrams/100 grams cholesterol. A three-ounce serving of beef contains 8.7 grams of fat, 183 calories and 55 milligrams/100 grams of cholesterol.

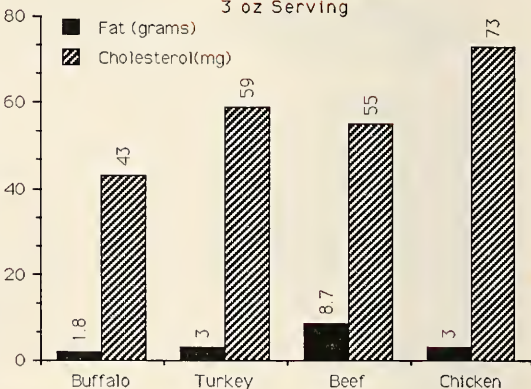
A diet heavy in fat and cholesterol-rich foods is unhealthy, with high blood cholesterol considered to be a major risk factor for coronary heart disease and stroke. Further, fat consumption is linked to breast and colon cancers—two of the leading killing cancers. High-fat foods are also loaded with calories, so the more you eat, the more weight you are likely to gain; being overweight is a factor for diabetics and those with high blood pressure.

According to Diane Stoy, operations director of Lipid Research Clinic at the George Washington University Medical Center, buffalo may prove to be very important to meat eaters who want to have their meat and eat a healthy diet as well. However, they will have to pay the price. According to Mike Thompson, Thompson Packing Company, Jersey Shore, buffalo meat sells for \$8 per pound, about four times higher than ground round.

Buffalo are generally wholesome because of the way they are raised and handled. Because of their independent nature, buffalo are handled as little as possible. They spend most of their time grazing, and very little time, if any, in the feed lot. Therefore, there is no need for hormones, artificial growth stimulants, or subtherapeutic antibiotics. The American Bison Association has even passed a resolution opposing the use of such substances in the production of buffalo for meat.

Proper treatment of buffalo is essential to the rearing business. Dr. Patricia Kitchen, a veterinarian at Lehighow Veterinary Hospital, Danville, notes, “With any animal, it is always better to practice prevention as opposed to practicing ‘putting out fires.’” Specifically, in the case of the buffalo, a watchful eye must be kept for internal parasites. Parasitized animals will produce poor quality meat. Wormers, inserted in the feed and water or injected intravenously, are used to prevent parasitism.

Nutritional Comparison
3 oz Serving



Research conducted by Dr. M. Marchello, University of North Dakota

Commercial feed mills also recommend a trace of the mineral Selenium be present in the animal. This assures that the buffalo will experience little trouble with calving, Law says.

Becoming involved in the production of meat for consumption requires one to know the basics in understanding the buffalo. According to Dr. Michael DeMarco, a veterinarian at Bloomsburg Veterinary Hospital, large animal care requires more muscle and more energy than the care of smaller animals. "Animals at that size tend to be more unruly," he says.

And while they have become semi-domesticated, buffalo still maintain wild characteristics. "I ringe when people label them as docile and insist on entering the fenced area unaccompanied," says Law, emphasizing, "they are not a bunch of milk cows." Although buffalo are not mean animals by nature, they will not hesitate to react if they feel threatened.

In the breeding season, buffalo can be dangerous, aggressively protecting their herd. "The best philosophy is to always give a buffalo room," says Law.

Buffalo is cooked in a manner similar to that of beef, except at a lower temperature

and a faster rate. Fat acts as an insulator; heat must first penetrate this insulation layer before the cooking process of the protein begins. Consequently, the low fat content of buffalo insures that it will cook faster.

The quality of meat is dependent on the age of the buffalo and the condition of the buffalo prior to processing. Naturally, not

"The demand [for buffalo] is there. In fact, it far exceeds anything I produce."

every buffalo is the same, nor is every cut of buffalo meat. As a buffalo gets older, its muscles become stronger, more coarse—resulting in a tough, stringy piece of meat. If the buffalo is in good condition, however, the meat will reflect in tenderness and flavor.

In addition to profits from selling buffalo

meat, Law profits in other ways. He sells tanned buffalo hides, often worn as robes for warmth on sleigh rides, and also sells the skulls as wall hangings.

Chances are slim that Law will increase his herd size in the near future, mostly because of land restriction. State law requires there be 1.3 acres of land per animal unit. With one buffalo being equivalent to two animal units and the average price of farmland at \$2,200 per acre, additions in herd size are doubtful considering Law's budget.

Raising buffalo has been a long time dream of Law. Although he bought the land in Sweet Valley nearly thirty years ago, Law did not start his buffalo-rearing business until 1988. Prior to that, Law served as a foreign specialist in the U.S. Army for 17 years, and after being discharged because of physical disability during the Vietnam War, he pursued a career in banking.

In the late 1800's, buffalo were dangerously close to extinction; only a few hundred could be found in the United States.

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Photo by Jennifer Stefanick

A TIME TO SHARE.

College students share their view of the world with area children

by Jennifer Stefanick

Ten children standing in a small circle held hands, their arms entwined. You could see their smiles and hear their laughter as they tried to get themselves untangled. They were playing the "knot game," and while it might seem like fun and games on the surface, these children were actually learning valuable lessons about life.

The children, students of the Bloomsburg Middle School, were brought together by Students Helping Adolescents Reach Excellence (SHARE), founded by Andy Wilson, a secondary education/history major at Bloomsburg University. "These fun activities present the children with challenges to overcome," he says. "They learn that life can be fun, but you should also look at challenges in a positive manner."

Wilson started SHARE in August 1990. He patterned the program after Second Mile in State College, a group he had worked with in 1983. He chose the acronym SHARE as the name for the group because he believes "these people who are working with the kids are incredibly busy and under an awful lot of pressure, but they still have time to share themselves with the kids."

He took his idea to Bob Peiffer, Protestant Campus Minister and Volunteer Services Coordinator at Bloomsburg University. Peiffer suggested that Wilson talk with a group of students who were just finishing a program called the Freshman Leadership Program, a six week course for thirty or forty first-year

"These fun activities present the children with challenges to overcome."

college students designed to teach leadership skills. After speaking with the group, he found himself with about twenty students who were willing to help. Wilson and Peiffer then approached the principal and guidance counselor of Bloomsburg Middle School, who provided him with a list of children who would best benefit from the program, children who might not receive this kind of special attention at home.

One of the things SHARE does is help the children with their homework twice a week after school. Laura Davis, guidance coun-

selor at Bloomsburg Middle School, says, "It's a great chance for the middle school students to work one-on-one with the older students and receive special attention." Many children said these study sessions are their favorite part of the program. "They're enjoying it and they look forward to it," Davis says. "Maybe if they don't like coming to school, and we have these studying programs twice a week, that will get them to come."

Tutoring, however, is really only secondary, according to Peiffer. SHARE is primarily designed as a "mentoring project." The group gets together every two weeks for large group projects. These activities, ranging from pizza parties to hayrides, are designed "to teach the children how to interact in large group settings," says Wilson. He remembers the first time they played the knot game. "It was great to see the kids' faces," he recalls. "They were having a great time and enjoying the heck out of trying to figure out how to get untangled. And, when they finally got themselves untangled, there was a shout and applause as they patted each other on the back." The lessons are subtle, and the children may not even consciously pick up on them, but

Wilson believes they will still benefit from all of this. "These kids are old enough that they will be able to take these kinds of experiences and hopefully apply them to other aspects of their lives," he says.

The volunteers are not supposed to discuss the children's personal problems with them; however, Michelle Hirsch, one of the student volunteers and program coordinator for the group, says, "I like it when the kids open up to you, and I think the children like it that we're there to say, 'Hey, you're a good kid.'" Volunteers who become suspicious of serious problems with any of the children are encouraged to inform Davis.

The group's biggest problem right now is a lack of funds, which often causes transportation problems. They hope to do some fundraising, but rely on donations for now. Domino's is among the participating businesses, donating fourteen pizzas and sixty cans of soda for a pizza party; the First Presbyterian Church of Bloomsburg allows them to use their property at no charge. "These problems," says Peiffer, "are nothing that money can't solve. There's no shortage of good will or expertise."

Another problem the group has is controlling the children's energy. "The kids are so



Photo by Jennifer Moon

Andy Wilson, founder of S.H.A.R.E., helps Jim Andrews with his math homework.

excited to be around us that it's hard to control them," says Wilson, "but, we're getting much better." According to Wilson, Hirsch has worked with children before and is "outstanding" with them. In addition, the games they play help capture the children's attention and channel their energy into one direction.

The group is slowly gaining more volunteers as word of its existence spreads. Right now they have about forty volunteers. Wilson says he is "very encouraged by the number of volunteers from the University," and is looking to expand the number of middle school children involved. Presently, there are about thirty children in the program, but there are

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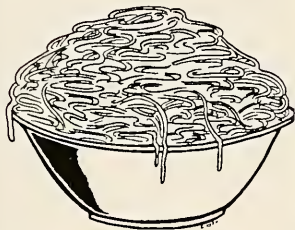
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about fifty more on the list provided by the middle school.

Although the project is new, the volunteers are able to point out some minor changes in the children's attitudes. "The biggest difference I've seen is that during the very first session we did, the kids were a bit suspicious," Peiffer says, "but now they feel kind of privileged to be a part of the project." He hopes that by the end of the school year, many other students at the middle school will want to be a part of SHARE.

Wilson points out that there are advantages for the volunteers involved with SHARE. "It gets you away from the books, and it's a perfect way to build a resumé," he says. But Wilson believes the most satisfying thing about being a volunteer is being there for someone else. "After a while," he says, "when you start to see the kids' faces react in such a positive way, you stop doing it for yourself, and begin doing it for them."

Peiffer believes the project will eventually

have positive long term effects on many of the middle school children. "Many of these kids have never been challenged with the idea of achieving excellence," he says. "Hopefully, now, they might set their sights differently. If you help people dream a dream and you give them dreams, you give them life itself."

Wilson believes the most important lesson SHARE tries to teach the children is that they

"If you help people dream a dream, and you give them dreams, you give them life itself."

really can overcome the problems they encounter. He compares life to the "knot game" by saying, "It's basically a circle that's collapsed itself in chaos. If that were to happen to you—if your being were to collapse in

chaos—this simple game shows the importance of people who are there with you to help you get untangled."

Although that small circle of ten entwined children might seem to be all fun and games on the surface, it's really much more. It's children learning they really can succeed, they really can solve problems. All they need is a little help getting untangled. S



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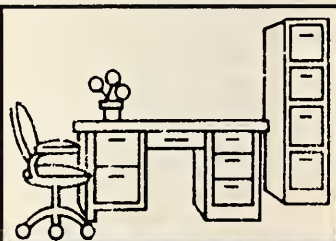
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Sharing a lifetime of experience
with the county's young riders

by Jennifer Moon

Paula Hosking is in business to support her habit. Although her lifestyle involves long hours, low pay, and work in the outdoors all year long, Hosking, Benton, "wouldn't trade it for the world."

Hosking's habit and business at Hidden Hollow Farms is horses. For thirty years now she's been boarding them, training them, and teaching students to ride them.

Hosking began riding when she was a child and never outgrew her love of horses. She has been a riding instructor since age 17. Over the years, Hosking has become an experienced instructor and trainer for many different types of horses and styles of riding. She says horses are "the great equalizers," and are not just for the rich. Hosking says it's hard for some of her clients to afford to pay for lessons, while others can't afford the time to take lessons. But they all find a way to fit riding into their budgets or schedules.

Hidden Hollow Farms began with the nine horses Paula and her husband Bill brought with them when they moved to Benton from New Jersey. Two trips with a friend's trailer moved those nine horses which included Paula's two riding horses, a few pairs of mares and foals, and a pony for the children. For about fifteen years, they raised horses and sold about six of them. But it takes a lot of time and money to raise horses, and the Hoskings had to stop raising horses to have more time for their own children.

Children are an important part of her business since Hosking likes to concentrate her efforts on the area she thinks she has a special

talent for—the early instruction of young riders. According to Hosking, early instruction is important so that the students will have the training to be able to pursue any kind of riding when they are older. The job requires a lot of patience, repeating instructions in lessons and supervising every moment of a rider's work. Teaching young students can be tedious, she says, "it isn't boring but it's time-consuming."

Running the farm, instructing students, and supporting them at shows are all demanding. Work on the farm begins around 6

**"I insist on a standard
of values and behavior
and language
that's acceptable."**

a.m. when Bill does the first shift of chores. He feeds and waters the horses and brings them in from the pastures. The day ends about 8:30 p.m. when Paula has finished giving lessons and supervises the last shift of chores. During the day, she is assisted by a trainer, Carol Brookhart, Danville, who trains horses and prepares them for lessons, and a retired farmer, who helps with work in the barn.

In her thirty years as a rider, Hosking studied many different styles of riding, including dressage, jumping, cross-country, western, and English. As an adult, her enthusiasm for

riding led her to start an Equine Explorers 4H Club and, later, a Pony Club. Her next project was with the Northeastern Pennsylvania English Riding Club, which was created to establish riding clinics and shows. She had been heavily involved in the Riding Club for about five years, which now sponsors a series of shows. Hosking also enters some shows.

Before going into business for herself, Hosking spent several years working at an area farm, training Arabian horses. But the job began to take too much time, and she had to leave the Pony Club and the Equine Explorers Club. While working as a trainer, Paula was also giving riding lessons at the other farm.

In 1984, a car accident ended both her work at the farm and her riding lessons. Her neck was fractured and Hosking spent the next two years recovering. During that time, she sold a few horses and saw her daughter, who Hosking had been training as a rider since she was four, become a 4H state riding champion.

For a while, Hosking didn't know if she'd be able to ride again and once she started, she could only stay on the horse for about 20 minutes before she got too dizzy and had to get off. Determination to return to the activity she loves made her lengthen the time she could spend on horseback each day.

She returned to training and instructing riders at the other farm, but that job also took a lot of time and left her with little time for her family. She left the job, but all her students continued to take their riding lessons with her, only now at Hosking's own farm. Mrs. Rae Kurland, Danville, drives nearly 50 miles

round trip to take her son Tom, 14, who hopes to become a professional rider, to his lessons with Hosking. Kurland says, "I'd drive a lot more than 50 miles to stay with her. She's just absolutely the most marvelous teacher. Her background and experience make her a superb professional." Kurland likes that Hosking "is concerned with the welfare of the horses, not just winning ribbons."

The business at Hidden Hollow has grown quickly, but still their profit margin is not very wide. But Hosking likes that she "doesn't answer to anybody but [her] own check-book."

Bill, who owns Hosking Construction, Inc., Benton, built fences, a reviewing stand for the outdoor riding arena and expanded the old barn. Fifteen stalls were added to the original nine and, according to Hosking, were in such demand that "they were sold before the doors were on."

Hidden Hollow Farms covers almost forty acres divided into five fenced pastures. The 60 ft. x 120 ft. lighted indoor ring, with and attached observation room complete with a wood-burning stove, allows students to practice and families to watch in any weather. The 110 ft. x 170 ft. outdoor ring encloses obstacles for jumping. The obstacles were built by Bill and some of Paula's students and were painted by the Hosking family. A mile-long cross-country course follows the treeline across two fields and includes eight permanent jumps.

Paula says part of the satisfaction she gets from being an instructor is "selfish, I like being around kids and [giving lessons] is one way of keeping kids around." She's concerned about the children she has as students and expects a lot of them.

Since the whole purpose of the farm is education, the students are taught to tack up their horse for a lesson even though they don't have to do it themselves. The base rate for group lessons is \$12 whether the student boards a horse there or rides one of Hosking's. Boarding a horse for one month costs \$200, which Hosking says includes "total care"—feeding, cleaning, calls to the veterinarian or blacksmith, and access to all the fields, rings, and trails.

Paula insists on a certain "standard of values and behavior and language that's acceptable," and students who can't conform to

those standards are asked to leave. Hosking believes her job is more than teaching kids to ride or perform well in shows, she also wants them to be well-rounded and responsible. Hosking says they "don't measure success in terms of winning ribbons."

Part of her responsibility to the students is to ensure their safety. According to Hosking "the equipment is in A-1 condition, and the horses are well-trained. The students can't take chances or fool around. They have to wear approved riding helmets and hard-soled shoes."

Hosking, who wouldn't be happy with a conventional indoor job, says that if she finishes her day's work early, she wonders what she could possibly do for four hours that night.

So instead of a 9 to 5 job, she works with the animals she's loved since childhood at a job where she "can't give less than 110 percent," surrounded by her family, twenty-eight horses, fifty students, four dogs, five cats, and forty acres of green fields. S

"We don't measure success in terms of winning ribbons."



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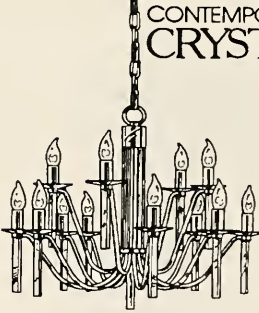
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IN THE PASSING LANE

Fleetwood Industries, a local motor home manufacturer, is leaving many of its toughest competitors in the dust

by Jack Smith and Mike Mullen

When Dan Danglovitch began his new job seventeen years ago, he was excited about the prospects. He maintains that same attitude today. He is a shop foreman in the service department at the large Fleetwood motor homes plant in Paxinos, near Elysburg, one of six plants nationwide that manufacture 21- to 55-foot motor homes.

"I started out in set-up and worked all stations on the production lines," Danglovitch says. "People from the region are all good crew members and put a lot of quality in their work. They care and they take pride in their work," he says. "Even after seventeen years, it is still exciting to see new models come off the line."

Motor homes, best described as living quarters on wheels, are strongly linked to the local economy by the fact that one of the largest plants in a Fortune 500 company is located in this area.

The plant is the third largest of 47 in the giant corporation based in Riverside, Ca. It is one of six Fleetwood plants involved in the manufacture of motor homes, top sellers in the recreational vehicle industry. About 450 people are employed in the 170,000 square foot facility.

One of every three RV's sold in the United States is a Fleetwood product and annual sales continually top one billion dollars. Sales figures include all products of the company including manufactured housing.

"The market has been stable for the past six years," according to Joe Adelsburger, product sales manager. The market is basically tied to interest rates and the economy in general. Low interest rates provide sales impetus since nearly all motor homes are financed. Adelsburger believes that the next several years should bring a strong market. The baby boomers, he says, are entering the economic

picture. Demographics point out that these people will have the discretionary dollars to spend on recreation.

"The cost of many of the vacation packages of today's market will make a down payment on a recreational vehicle," says Adelsburger. An indication of the potential for the 1991 market was September's RV show in Harrisburg. According to Adelsburger, interest was strong by both dealers and the public. "The consumer," he says, "is very resilient in spite of the trouble in the Middle East. Retail sales have continued at a healthy level."

The plant in Paxinos services about 150 dealers on the east coast from Maine to Florida. About one-third of the company's sales volume comes from Florida. Sales are strong year-round, says Adelsburger, but this was not always the case. "The big change," he

says, "came when the large Florida market developed." The early 1980's saw the market expand in the Sunshine State, Adelsburger notes.

Models of the various Paxinos units change dramatically about every three to four years, with slight annual changes in fabrics and decor to keep consumer interest high. New models are introduced

sometime between July 15 and August 1.

The process begins with any special alterations to the chassis such as the addition of more ride suspension. The basic chassis has an engine,—either a Chevrolet 454 cubic inch displacement or Ford 460 v-8—automatic transmission and body frame.

Hundreds of "raw" body frames are parked in front of the factory waiting their turn on the assembly line. Adelsburger says the firm must keep eight to twelve weeks of inventory on hand to offset any problems that might arise. It takes up to six months for delivery from Ford or Chevrolet and a problem from one of those plants could halt production of the chassis or a surprising upturn in business could mean a shortage at the Paxinos facility.

“Even after seventeen years, it is still exciting to see new models come off the line.”

Paxinos can produce forty to sixty units per week. It takes three days for a motor home to complete its circuit on a horseshoe shaped assembly line. All wiring, plumbing, and basic features begin the phases as the unit is moved from stage to stage. Final stage is the paint locker and, after a factory test drive, the completed units are driven to the dealerships by professional drivers.

The origin of the motor home is somewhat clouded, but almost from the invention of the "horseless buggy" some variation has been around. Until the 1950's when they began to be mass-produced, all were of the "homemade" variety.

The founder of Fleetwood enterprises, John Crean, can attest to this fact. Crean recalls how his father, an Irish Immigrant, built living quarters on the back of a 1925 Model T truck chassis.

The Crean family wandered through several states, starting in North Dakota and ending in California. The trip took an entire year. Crean began what was to become a giant corporation in the late 1940s by manufacturing venetian blinds for RVs. At that time RVs were built one at a time with assembly line manufacturing appearing in the 1950s.

Inventory bodies for the homes are kept on hand because it takes six months to order new ones from Detroit.



Photo by Jennifer Moon

He parlayed his success into making travel trailers and despite some rough going in the 1950s, he has constantly expanded to include all facets of the manufacture of recreation vehicles and their components.

According to the firm's annual report, nearly eight million U.S. and Canadian families own a recreational vehicle. An RV could be a self-propelled unit built on an automotive chassis, travel trailer or folding trailer, with the latter two designed to be towed by another vehicle.

Thousands of camp sites, many of them devoted to motor homes, are located throughout the United States. First-time drivers of motor homes usually have a fear of their size, but are amazed at how easily they handle on the road.

Camp sites usually have several "pull through" sites so that it is not necessary to back up or do a lot of maneuvering getting in and out of the sites. Fees for their use are far below those of motels and when you consider the costs, along with eating out, the economy

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Motor homes, like the 1991 Cambria, are equipped with the latest conveniences, including refrigerators, microwaves, and showers.

of a motor home is more attractive. Vacationing, sight-seeing, hunting, and fishing trips are the most common uses of these units.

Ownership of motor homes is divided between those who have permanent residence

and a growing number of people, especially retirees, who use their homes to travel with the seasons. The lure of the open road, convenience of camp sites and the economy of motor home living combine to convince people to spend money on an RV.

The appeal of a motor home centers on the concept that it is a self-contained mobile unit with living quarters. Sleeping, cooking, and dining facilities are provided and it has its own electrical, water, and sewage systems.

Depending on the price, most models have an electric generator which makes it possible to "camp" almost anywhere. Extras available include television and stereo systems, microwave ovens, air conditioning, mobile telephones, leveling jacks, canopies, and security systems.

Fleetwood motor homes range in retail price from about \$30,000 to \$100,000 with most units retailing for under \$60,000. Prices depend on specifications of the various models and the options selected by the consumer.

There are eight different brands manufactured by Fleetwood in its six plants devoted to motor homes. Paxinos builds four models - Pace Arrow, Southwind, Bounder and Flair. But elsewhere are Cambria, Limited, Tioga and Jamboree.

The newest model, the Flair, was introduced in the spring of 1989. Sales of the Flair ranked it eighth among all motor homes sold in 1989, according to Fleetwood's annual report.

"Popularity of the lower priced, full-sized unit is attributed in part to its newness," Adelsburger says. Fleetwood considers the Flair as its basic, entry-level model.

The other division of the Fleetwood company, manufactured housing, outsold all other companies in 1989, capturing nearly seventeen percent of the market. Fleetwood had 28.6 percent of the market in motor homes in 1989; Winnebago, the closest competitor, had 17.1 percent. Coachman captured 8.1 percent.

Company executives are planning for continued growth in both recreational vehicles and manufactured housing divisions over the next several years. "Plant expansions are either planned, underway, or completed to meet anticipated demands due to the influx of the baby boomer market," according to Adelsburger.

Although several plants will be expanded, mostly on the west coast, nothing is noted for the Paxinos facility.

Plant manager Stan Haines explains that the area plant has been updated twice in its 17-year existence. In 1980, a 40,000-foot addition was built and 60,000 feet were added in 1985. S

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Back Of The Book

The Art of Learning

For artist-teacher Stewart Nagel, developing students' creative ability is his main priority

Collagraphy. Serigraphy. Lithography.

These terms may not be in the everyday vocabulary of the layman, but artist/teacher Stewart Nagel, Bloomsburg, not only knows what they mean, but he applies them in his everyday life through his own creative art processes, or the ones he attempts to bring out in his students.

Nagel's artistic commitments lie in the areas of drawing, specifically with charcoal, collagraphy (the process of gluing objects to a surface and creating a textural impression from which a print is made), serigraphy (otherwise known as silk screening), and lithography (the process in which the image to be printed is drawn on stone or metal, and treated so that it will retain ink).

"Basically I'm a teacher and printmaker," says Nagel, pointing out, "printmaking is a fine art experience which parallels sculpting or painting. And the technical processes in printmaking would include relief, intaglio, serigraphy, and lithography."

Nagel has produced two fine art limited edition books of his serigraphs, and has written a book on collagraph printmaking.

"I think the excitement of being involved in the creative process is the basic reason for me wanting to participate in it," says Nagel. "I think the kind of energy and rewards become obvious from being involved in the process. There is also a great deal of enjoyment from the products that are a result of the experience."

Nagel says he enjoys communicating and interacting with

his students. "That process of communication is my motivation for teaching, and I believe the nurturing of creative ideas in my students is a high priority for me. To examine options that are not obvious, is part of the joy of the creative process."

Nagel's most recent work, exhibited last November in the Haas Gallery on the Bloomsburg University campus, consisted of a collection of large, black and white charcoal drawings of semi-

ual imagery and energies he enjoys. He also holds abstract works by Picasso in high regard.

"I think when I refer to a kind of energy and excitement, art provides that outlet, that kind of enjoyment," says Nagel. "My interest in learning and exploring new ideas is not specifically limited to a particular process in art, nor to a particular art historical period. I tend to think of myself as an interdisciplinary individual. I see the beauty and ex-

Nagel says he had a lot of opportunities growing up to develop his creativity. Along with a very supportive family, Nagel also attributes his creative nurturing to living in New York City, visiting museums and galleries, having art lessons as a youngster, and having the opportunity to attend a high school which specialized in music and art education. He also says that his "challenging educational experiences" from The Cooper Union School of Art and the Pratt Institute contributed in his artistic development.

The subject matter in Nagel's work is primarily figurative, and in some cases he has incorporated Biblical themes along with an abstract expressionist style. "I attempted to incorporate a dimension of the subconscious and imagery which might be comprised of natural and supernatural forms," he says.

Nagel began teaching on a college level at Howard University, Washington, D.C., in 1968, and came to Bloomsburg University in 1972, where he served as chair of the Department of Art from 1985 to 1990.

"The primary purpose of my teaching is to nurture the creative potential of students," he says, noting, "I help them develop their understanding of art in a historical framework, and their ability to experience and create works of art." Nagel says he enjoys being a college professor which provides him with an opportunity to broaden his personal artistic commitment and to refine and develop his philosophy of teaching.

—JANE MEHLBAUM
Spectrum



A detail from Nagel's work "The Dream"

abstract figures. Nagel considers "abstract expressionism" to be the style most closely identified with his work. "My works concern an inherent rhythm," he says. "The works deal with the relationship between human beings and their environment."

Nagel's influence in abstract expressionism stems from three of his favorite artists, Willem De Kooning, Mark Rothko, and Franz Kline. He says they are specific individuals whose vis-

ioning of various disciplines, including music, literature, as well as science and math."

Nagel says he appreciates the inter-relationship of the disciplines. He also believes athletics and sports provide a kind of energy that transposes into the enjoyment of artistic experiences. "One's environment, one's interactions, and one's experiences begin to bring out some of this basic spirit of people," he says.

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Child Custody


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Second Place/National, Society of Collegiate Journalists

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Families involved in custody battles are often overwhelmed by the court system.

Photo by Marlyse Heaps

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BEHIND THE LINES

Even if we have never experienced a custody battle first-hand, most of us know someone who has. It affects us all. And that's exactly why we decided the subject was important enough to devote an entire issue to it.

Could a magazine have picked a touchier subject than child custody? Maybe, maybe not. But it doesn't matter, because we did.

Some seven months ago, *Spectrum Magazine* undertook what was to become the most difficult issue to date. We became aware of a custody battle in Northumberland county that had every aspect of a child custody case anyone could think of. And as a result, the staff as a whole decided to examine the sometimes delicate, sometimes confusing, and always painful subject of child custody.

We covered all the angles one could imagine, all the time using as a backdrop the specific case in Northumberland county.

The mother's story of the pain and anguish she suffered throughout the whole ordeal is reflected by Judy Kosman. Kosman introduces us to a mother who is not just afraid for the children's safety, but angry because it appears the court has ignored the rights of the younger daughter who wishes to live with her mom.

The father's tale of an unstable mother is detailed by Mike Mullen. The father tells of how he experienced sex-based discrimination, but never gave up his fight for the children.

Jennifer Stefanick introduces us to the two daughters caught in this tug-of-war and lets them tell their story.

From there we tour the court system [Pat Trosky], meet the lawyers involved [Jeff Fishbein and Brian Rippey], identify the role of therapists [Ellen Condrón], get lost in the confusing maze of agencies set up to help the children [Dan Trexler], and examine the media's role in the whole process, if indeed they have a role at all [Matt Malinowski].

In addition, we have our featured departments. In this issue's Cutting Edge, Kami Silk examines the changing face of custody laws and how the courts have modified their decisions over the years.

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Our Back of the Book has spilled over from one to two pages for the first time in our short history. But we believe it was worth it as Jane Mehlbaum describes the story of a man who helps other fathers fight for custody of their children and supports them throughout the entire process.

Without a doubt, in the past we at *Spectrum Magazine* have dazzled everyone with our footwork. We have had some story designs in the past that we thought couldn't be topped, only to see us better ourselves the very next issue. But this issue is completely different. Child custody is not the type of subject suitable for a mind-boggling design.

So because *Spectrum Magazine* is not afraid to attempt new things and simply because we have done almost all we could with a feature magazine, we decided to try our hand at an informative/news format, the result of which is what you have in your hands right now. We at *Spectrum* hope you are as happy with it as we are.

As an organization, we have continued to reap the rewards of a successful magazine. We have been fortunate to win many awards over the past few years, the most recent of which was our first place finish in the New England/Mid-Atlantic region of the Society of Professional Journalists and a second place finish nationally in the Society of Collegiate Journalists' competition.

Still, it really doesn't matter as long as we serve our readers as best we can, because we believe that is much more important. And it seems we are doing just that because our circulation continues to climb and yet another one of our stories was reprinted in another magazine bringing the total to six in three years. We couldn't be prouder of that accomplishment and we sincerely hope that you share our pride, because as a reader you are the most important part of our magazine. —The Editors

Spectrum Magazine thanks the two artists who contributed their talents to this issue, Jill Seipe and Kyle Crawford.

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THE CUTTING EDGE

CUSTODY LAWS

New Battle Lines Drawn

Child custody decisions originate from a history of actions presumed to reflect traditional American ideas of "normal" family life. Although earlier courts believed their actions benefitted the children, they would be considered discriminatory by today's standards.

The principle followed by Pennsylvania courts in deciding child custody cases is to determine what is in the best interests of the child, as demonstrated in *Harashack v. Harashack* (1979). All other interests, including the rights of contending parties, are considered secondary.

Factors to determine the child's best interests usually include the character and fitness of the parties seeking custody, the nature of the proposed custodial homes, the child's preference, the parenting abilities and inclinations of the contestants, and how the child is adapting to his present situation.

In the past, there was a greater tendency to give mothers custody under the Tender Years Doctrine. Formerly applied by Pennsylvania courts, this doctrine simply held that the best interests of children of "tender years" were best served by placing the child in the custody of the natural mother. Children 14 years old or younger were considered to be of tender years, but as they grew older, more weight was placed on their preferences.

In *Ellerbe v. Hooks* (1975) the Pennsylvania Supreme Court abandoned the tender years presumption. The court noted the doctrine was "offensive to the concept of the equality of the sexes which we have embraced as a constitutional principle within this jurisdiction."

In recent years, *Ellerbe* has re-

sulted in a turnaround of custody decisions. Fathers have been awarded child custody over mothers in a number of cases.

According to Anne Wilson, Ph.D., professor of sociology, Bloomsburg University, "Some studies indicate this may be due to male and female gender roles becoming similar. But also, traditionally men have greater financial resources than the majority of women. Many times women are economically handicapped."

Today, increased numbers of women have entered the labor force, many males participate in the day-to-day rigors of child rearing, and there is a need for the elimination of sex-based discrimination. Because of these changes and the *Ellerbe* decision, fathers and mothers have equal opportunities for custody in the eyes of the law.

Pennsylvania courts also traditionally believed that under ordinary circumstances, siblings should not be separated. This idea, commonly referred to as the "separation of siblings presumption" or family doctrine, originated from the belief that a child benefits from growing up in a family atmosphere—including siblings from whom the child can learn and develop skills necessary for successful social interaction. Many times, this resulted in one parent gaining custody of all the children, although it may have been more beneficial for the children to be split between both parents.

In *Sykora v. Sykora* (1978), the courts observed "the benefits of forcing a child to reside with one of the parents solely for the purpose of keeping the siblings together can be distinctly outweighed by the detrimental effects on that child who prefers not

to live with that particular parent." Courts believe the "whole family" concept is important, but now they weigh the evidence accordingly.

In the past, parents have been given a preferred status over third parties who may also want custody. Emphasis was placed on parent-child relationships due to a variety of concocted standards originating from their supposed paternal and maternal rights. Courts held that unless compelling reasons existed to the contrary, it would be presumed that the child's best interests lie with parental custody.

Anyone who is not a natural parent is given third-party status. Grandparents, aunts, and uncles are equivalent to blood strangers as established by *Albright vs. Commonwealth* (1980). Stepparents are also considered third parties.

According to the Pennsylvania Supreme Court, the current outlook on the parental bias holds that the natural parent has a *prima facie* or self-evident right to custody. To overcome this right, convincing reasons must be presented to show the best interests of the child will be served by placement with a third party.

In *Davenport v. Montgomery County Children and Youth Services* (1980), the maternal grandparents were able to show convincing reasons why the father's *prima facie* right to custody of his 8-year-old son should be overcome. The grandparents were awarded custody based on the evidence that they could supply a source of stability for the child that the father could not.

The "roots of the tree" policy refers to judicial awareness that an environment in which the child is thriving should not be disrupted unless other factors indicate a different setting would better serve the child. Chief Justice Maxey originated this term in a 1949 Pennsylvania Supreme Court decision. He compared the nurturing of a child to the growth of a young tree. According to Maxey, after age two the child becomes strongly attached to those

standing in a parental relationship. To uproot the child at this stage may result in severe unhappiness or even physical harm.

According to Wilson, "This could be true for many children. The intensity of hurt increases with the age of a child. So older children are many times more affected than very young children."

Courts usually consider the length of time a child has flourished in a given environment before deciding custody opinions. For instance, in *Jordan v. Jordan* (1982), the Superior Court decided if the "natural parents are both fit, and the child is of tender years, the trial court must give positive consideration to the parent who has been the primary caretaker." Sometimes joint custody is awarded and the considerations of the primary caretaker are not applicable.

Joint custody has become a norm to which sole parent custody orders will deviate. It has a good success rate because two parents intimately involved in the child-rearing process compensate for the negative emotional impact on the child caused by the divorce. In a sense, the child is "allowed to keep both parents." But according to Wilson, joint custody may not always be the best alternative.

"The success of joint custody depends on many factors," says Wilson. "It depends on how close each parent lives to the other, the personality of the child, the relationship between the parents, and so forth. If both parents aren't willing to forget existing problems between themselves and put the child's best interests first, then joint custody would not be a good solution."

Child custody arose from an array of presumptions. Time has faded many of them due to changes within our society. Instead of focusing on accepted traditional views, the court system now has new ideas about what will serve the child's best interest.

—KAMI SILK

MOMMIES CAN'T CRY

*One woman relives
a nightmare to fight
for her daughter's rights*

Angie walked the streets of Shamokin, clutching a picture of a little girl in her hand. The loose bun in her long, dark hair hung limp now, her face haggard from a day of searching and worry. Still, she found the strength to thrust the wrinkled picture in the bewildered face of each passerby.

Nightmares of her past haunted those streets—visions of the charming married man she moved in with 19 years ago and the two young girls who were now caught in the relationship's stormy aftermath. Angie believed she left all of these visions behind when she moved to Florida to start a new life with her youngest daughter, Julie.

But, when Angie received custody papers from Julie's father, Roy, she realized the war in Pennsylvania was far from over. Instead, her struggle to win Julie would lead Angie into confrontations with the court system, Children and Youth caseworkers, psychologists, and a number of lawyers.

Angie's problems started at home with what she called a physically and emotionally abusive relationship. Angie is hardly unique. According to the Pennsylvania Coalition against Domestic Violence, batterers claim over three million victims each year in the United States. In Pennsylvania, 800,000 women each year are assaulted in their own homes.

For many of them, the battle doesn't end when they finally escape the abusive environment because leaving their husbands may also mean abandoning their children.

Freedom had been an elusive dream most of her life, according to Angie. Her experience with domestic violence began early in life.

At 18, she left her home in New Hampshire to escape an abusive stepfather.

Women who experience psychological, physical, or sexual abuse as children often find themselves in similar situations as adults, says Diane Magagna, counselor at the Bloomsburg Women's Center. For Angie, the violent cycle began again just one year after leaving home.

Angie, then 19, met Roy on July 2, 1971, at a club where she worked as an exotic interpretive dancer. She had been dancing at various clubs since leaving home.

Roy, then 29, was a member of the band at the Shamokin club. Angie, young and alone, was impressed by the confident stranger who became a friend.

According to Roy, there was an immediate attraction between Angie and himself. "Somehow we knew there would be something special between us," he says.

Two or three weeks later, Angie

moved into the trailer he shared with a friend.

But, Angie wasn't the only woman in Roy's life. Three months later, she discovered he was married and had two children. He didn't live with his other family, but visited them on occasion.

Angie remembers the confrontation and how Roy quickly assuaged her fears. She says he set up a mock wedding ceremony in which they exchanged self-written vows and promised each other that they would have a genuine ceremony within three years.

Roy, however, claims neither he nor she wanted marriage. "At that time, there was no such thing as marriage," he says. "She

“Every time I tried to
get away, I had to have
a master plan.”

by Judy Kosman

believed it more than I did. The piece of paper didn't say we were going to be together forever, and a divorce would just complicate things with my children."

Two years later, Angie was still waiting to announce their engagement. Instead, Roy announced the birth of his son by his wife, Mary, in August 1973. When she confronted Roy, Angie says he insisted she was his one true love and explained he had been unfaithful only once—on a night when she was out of town, leaving him alone.

According to Angie, Mary told a different story. In February 1974, she came to the trailer to visit Angie, who recalls her saying their marriage was still strong and Roy visited her often. Angie began to remember all of his absences over the past few years. Two or three times, she says, Roy had left the trailer for six-month intervals.

According to Angie, Roy said he was staying with his mother during these periods, but she often suspected he was really living with his wife. She remembers spending those times alone in the trailer, living on meager welfare checks and hoping to win him back.

Roy, however, says, "I only left her once and it was for about one month. It might have been longer, but it wasn't close to six. I just needed time to see if I still wanted to be with her."

Angie rarely worked in those first few years with Roy. In fact, she claims he forbade her from getting a job, afraid she would attain financial independence.

So, she collected welfare to pay for her half of the rent, utilities, and food. Finally, Angie says, after weeks of begging, she convinced Roy to allow her to take a part-time job at a hospital in order to earn a small salary.

As each year with Roy passed, Angie felt more and more used. But, she believed that once a person commits to something or someone she should stick it out. "The only thing I'm guilty of is not being a quitter," she says.

Yet, she did eventually quit.

In the summer of 1975, she left Roy to live with her sister in New Hampshire. About six weeks later, she discovered that she was pregnant; the father was Roy, and she begged him to take her back.

Thinking the baby might bring them together, Angie remembers eagerly returning to Roy. They moved into an apartment, because he believed it would be better for the baby. But, according to Angie, the euphoria of parenthood didn't last long.

She says her pregnancy marked the first acts of violence in their relationship.

"Roy had all of my attention for four years," she says. "Now I had a daughter to think about and I was starting to seek some

independence." They began to fight continually and Roy left the apartment often. "For the first time, I understood how Mary must have felt," Angie says.

Angie only really began to worry, she says, when the arguments turned into threats. She remembers how Roy threatened her with guns from a collection he kept. Roy, however, denies threatening Angie at all, let alone with guns.

Other thoughts haunted Angie. She wondered how she could afford to leave Roy. "I asked myself, 'Where am I going to go and how will I live?'" she says. But, she did plan to leave. "Every time I tried to get away," she says, "I had to have a master plan. But, Roy consistently showed up and ruined my plans."

On March 31, 1976, Angie gave birth to Denise and decided that it was time to win some independence.

Angie says Roy did not want her to have a car or even learn to drive.

So, with the help of some neighborhood women, Angie got her license and a loan to buy a car.

Angie recalls she and Roy argued the night she drove her new car home. She remembers taunting, "What's the matter, are you afraid I'm going to start to follow you?" She says Roy, enraged by her question, grabbed a pair of scissors and drove it into the wall near her head. Roy denies doing this.

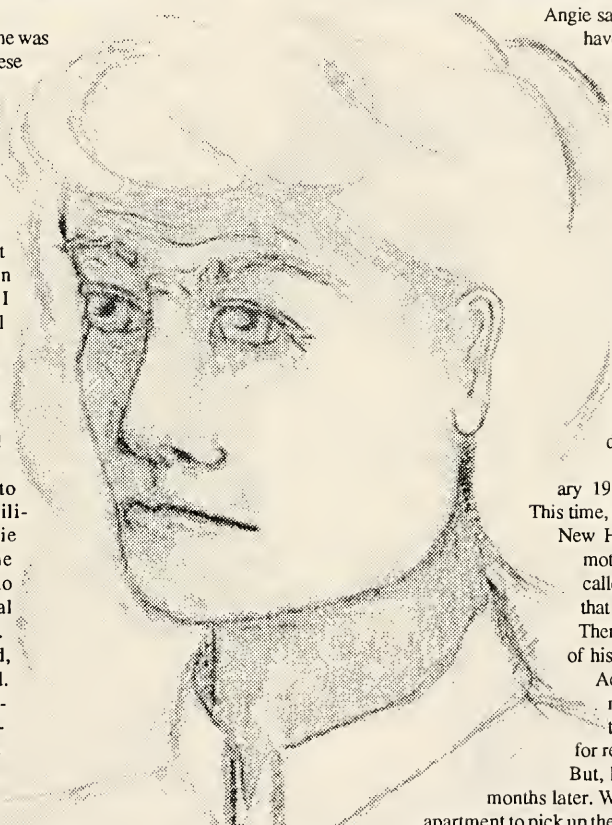
Two years later, in February 1987, Angie left Roy again. This time, she took Denise and fled to New Hampshire to live with her mother. During her absence, she called Roy and left a message that their relationship was over. Then, she had an affair with one of his good friends to spite him. According to Angie, Roy had many affairs during their time together and she felt the need for revenge.

But, her revenge backfired two months later. When she returned to Roy's apartment to pick up the rest of her belongings, she claims Roy confronted her about the affair. She says he told her his friend would testify in a custody hearing to prove she was an unfit mother—unless she and Denise returned to him immediately. But, Roy claims he never said this.

Angie returned to find herself in a "living nightmare." She says Roy continued to see his wife behind her back and the abuse continued.

As the relationship became more repressive, Angie looked harder for opportunities to improve herself. She pushed Roy to let her work.

In April 1978, she began selling products out of her home for



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a wicker company, quickly turning it into a thriving business. "Roy let me work in the wicker business because I could do all my wife things and meet the larger bills since Denise's birth," Angie explains.

In fact, Angie says Roy suggested that she employ Rhonda, his oldest daughter from his marriage with Mary. During this time, Rhonda spent much time at the trailer. Sometimes, Angie says, Roy would take out Rhonda, leaving her to look after Denise. Lonely and bitter, Angie ran away a few times, but always returned, afraid to lose her daughter.

Angie gave birth to her second daughter, Julie, on July 16, 1981. But, the situation with Roy continued to worsen. She says Roy was constantly jealous of other men, so he kept her at home as

*"Roy is a great
daddy, but he is a
terrible father."*

much as possible. He objected when she began taking classes at Bloomsburg University in the fall of 1982.

Roy explains, "It is not that I didn't want her to go to college, but it was not affordable at the time." He also says that what started out as one or two classes a week soon became full course loads and extracurricular activities. "She was rarely ever here," he says. "If she would have just used her head and done it logically it might have worked out."

But Angie claims Roy plotted to end her college education. She says he had her car towed one morning early in her third semester, claiming it was being fixed for a problem she wasn't aware of. However, he would not tell her where the car was or when it would be returned. Without transportation, Angie says she was forced to drop out of school. Roy denies this and says lack of finances forced her to withdraw from college.

Angie's next attempt for freedom was a little more successful. Roy worked as an insurance agent, so Angie convinced him to let her start working in his office. Here, Roy did not forbid her from enjoying a career because he was able to keep an eye on her, she says.

Roy, however, claims he encouraged her to work in insurance because she lacked self-confidence and was afraid she wasn't capable of enjoying a successful career. "I got her into the insurance business," he says. "I always tried to get Angie involved with something that was going to advance her in some way."

Finally, on Sept. 1, 1987, Angie left Roy for the last time. She says he followed her to the post office in his car and deliberately crashed into her car. She immediately got out and ran to a neighbor's house. From there she went to the Women's Center in Bloomsburg.

There, she learned about the theory of power and control which she now applies to her life. A chart provided by the women's center showed her how some men use power to control women.

The cycle includes emotional abuse in which he puts her down and plays mind games with her; economic abuse in which he keeps her from becoming financially independent; sexual abuse in which he treats her as a sexual object; using children in which he makes her feel like a bad mother; threats in which he says he will hurt her or take the children; using male privilege in which he treats her like a

servant; intimidation in which he yells and smashes objects to put fear into her; and isolation in which he controls whom she sees or talks to. Angie says Roy used all of these tactics on her at one time or another in their relationship.

Roy denies these allegations. "I never abused her, and I never hit her," he says. "Angie sees abuse in everything. I think it was because of the trouble from her childhood."

Comforted by her stay at the center, Angie filed a Protection from Abuse Order for herself and two daughters. Julie, the youngest daughter, stayed with her mother, but Denise refused.

Denise was very close to her father, according to Angie. She says Denise often went with Roy to Mary's house for family gatherings. Here, Angie says, Denise was exposed to many remarks against her mother. Angie believes Denise has internalized the view of Roy's family—that Angie left Roy who was suffering from a heart condition, at the worst possible time.

Angie worried that Roy was not the best influence for the girls. "Roy is a great daddy, but he is a terrible father," she says. She notes that he lets the girls go to bed whenever they want, and never helps them with their homework although he expects good grades from them, and he takes the girls wherever they want to go but doesn't participate in any of their activities.

Also, Angie believes Roy is afraid to leave the area. "He is afraid to leave his pull behind," she says, "People who know Roy are afraid of him. He has pull everywhere." But, Angie wants her girls to know that there are other places in the world besides the coal regions of Pennsylvania. She says Roy's paranoia about leaving the state is an unhealthy attitude which she does not want her girls to share.

Roy is confused by this accusation. "I was a shop student in high school. I have no political ties," he says. "I have no relations with people in high places. If I did, I wouldn't have been in the situation I was in—going broke paying for a lawyer to get custody of my daughter."

Also, Roy believes he has very good reasons for not wanting to leave Pennsylvania. "As far as leaving the area, I've lived here all my life," he says. "I know where I can turn to if anything goes wrong. I know there's more to the world than this coal region, but that's for my girls to discover on their own if they want to when they go to college."

Because Angie believes she was a more responsible parental figure, she would have liked to file for both girls' custody. But, her

**“People who know Roy
are afraid of him. He has
pull everywhere.”**

first lawyer advised her not to fight for Denise because by the time of the trial Denise would be old enough to tell the judge where she wanted to live—no one doubted she would choose her father—and could hurt Angie's chances of winning Julie's custody. Reluctantly, Angie relented, and the police removed Julie from Roy's custody, while Denise stayed with her father.

Angie also says her lawyer advised her to follow through on her plans to leave the state immediately since she says Roy was harassing her at the Women's Center.

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Ten days later, Angie left with Julie for New Hampshire with a one-month stay in Chester, Vt., to live with an aunt until she had secured a job and an apartment. In November, Angie began work at the Sullivan County Rehabilitation Center while she studied for her New Hampshire insurance license.

On December 4, Angie and Julie arrived at their new apartment in New Hampshire. "With us, we had seventeen cents, four garbage bags of clothes, a pillow, a blanket, a tapestry, a cardboard box, two jelly jars, a 1-quart sauce pan and two spoons," Angie remembers. But with the help of family and friends, Angie and Julie turned the apartment into a home. "We enjoyed doing it," Angie says. "Even the tiniest thing became a masterpiece."

During these hard times, Angie basked in the closeness between her and the two girls. She called Denise often. But, though their conversations brought her closer to her daughter, they also caused her anxiety.

She claims that Denise was often left alone for most of the day in the apartment and she seemed depressed a lot. Angie's fears culminated in February 1989, when she says Denise left a suicide message on her answering machine.

Angie remembers immediately calling Roy. She says Roy would not listen to her, saying Denise was sitting on the sofa watching television. But, Angie insisted that Denise had swallowed something and needed immediate attention.

Angie called Roy constantly the next few days, frantic to find out about Denise, but she could not get through. Finally, Roy told

*"The only thing
I'm guilty of is not
being a quitter."*

her Denise had swallowed a few of his heart pills, not enough to kill her. Angie insisted that Roy get their daughter psychological counseling, claiming Denise often practices suicide by chewing up handfuls of her father's medication and then spitting them out. "That's a cry for help, but nobody's hearing," she says.

Roy says he did hear his daughter's cry. "She wasn't getting the attention from her mother," he explains. "So, she called up her mom and told her she was taking my medication. I counted the pills; there was only one missing. My doctor told me not to worry, and I found out later she didn't even take it."

In April 1989, Angie was asked to resign from the rehabilitation agency for "blowing the whistle" on internal problems. She then worked part-time in a group home for mentally ill clients.

It was at this time that Angie found a friend to help her through the difficult times. She met Jim in New Hampshire. He had worked for the Rehabilitation Center and had experienced some of the same problems she had. They were soon engaged.

In July, Angie became frantic when Denise told her she had been molested by a friend whom Roy had hired to drive Denise around. At this time, Roy was working long days at a car dealership and worried that his daughter was not getting out enough. He asked his friend to drive Denise to school functions and to friends' houses. Angie became enraged when Denise called her. She made a number of phone calls to Roy insisting that he do something. Roy promised he would handle the situation.

Roy was shocked to learn about his friend. "That was a really hurtful situation to me," he says. "I've known this guy for over twenty years and I trusted him implicitly. He said it was a lie. But, I told him I didn't want him around my house or my kids."

Angie broke her engagement with Jim in January 1990, but they remained friends. Finally, Angie decided that she would move to Florida where her mother also lived. She and Roy were also talking quite a bit now. In fact, he told her he and Denise would live in Florida after she was established. "He offered to give me \$2,000 to make a life in Florida," she remembers. But, she says Roy backed out of their agreement a few days before she was going to leave.

Angie and Julie went to Florida anyway. Jim traveled with them so they could share expenses. His parents had a house on the west coast of Florida and he was going to stay with them. Angie's mother lived on the state's east coast and she would allow Julie and Angie to stay for a while.

Florida was all Angie had hoped for. Denise seemed happy in Pennsylvania with her father, and Julie was adjusting to life in Florida quickly. Angie dreamed of the day when she and Julie could get their own apartment and begin a normal, happy life. Both she and Julie were seeing a psychologist to sort out their bad feelings about the past.

Even Roy seemed to have changed for the better, Angie says.

He called Angie quite often, wrote her countless letters, including some which begged her to return, and seemed to support her. He still talked about moving to Florida with Denise so they could all see each other more often.

In light of this, Angie didn't think twice about allowing Julie to visit her father on June 26, 1990. Julie was to stay for two weeks.

Angie says Roy promised to send the money back with Julie to help Angie "get on the right track."

But Julie didn't return on schedule. Instead, when Angie called, Roy urged her to let Julie stay a little longer. When she asked to speak to her daughter, Roy always told her Julie was not home or she was too busy to talk with her mother.

Finally, the phone conversations became heated. Roy told her he would not send her any money. "I felt I deserved some kind of compensation," Angie says. "Other women get settlements from their husbands when they are divorced." Angry and disillusioned, Angie told Roy she would take him to court.

But Roy reached his lawyer first.

On Aug. 6, 1991, Angie arrived in Shamokin to search for her daughter. As she wandered through backstreets and alleys, she thought about her troubled past and her uncertain future. "I thought, 'all his threats have come through,'" she says. "He said he would take my girls and make me look bad. And he's done just that." **S**

“All his threats have come through. He said he would take my girls and make me look bad. And he did just that.”

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DADDY'S LITTLE GIRLS?

*Despite conventional wisdom,
one father says they are,
and isn't afraid to say why*

Roy says he isn't now and has never been a chauvinist. In fact, he believes in most cases, children in custody battles would be better off with their mothers. However, his is not one of those cases.

"I've always said that I could take better care of the kids than she could," the fifty-year-old father says. "My lawyer told me it was very hard for a man to get custody of the children, but he also thought I had a good case. So I filed."

His decision was not a spur of the moment one, but rather the result of a series of events that led him to fear for the well-being of his youngest daughter.

"The situation was that during 1989 Angie [the child's mother] was constantly moving from place to place," he says. "One time Julie [the youngest daughter] was sent to me because Angie was having some trouble. I found out she was losing her apartment and had no place to live; that's why Julie was here."

Later, after Angie moved in with Jim, a man she worked with, a man Roy claims she told him she "couldn't stand," Julie went back to live with them. "Angie would call me and say 'Oh, I can't tell you what he did to Julie, I just hate him and he'll never do it again, because I'll kill him if he does it again.' But she wouldn't tell me what he did."

In 1990, Angie decided she wanted to move to Florida and wanted Roy to join her. "I told her to move here instead," Roy says. "She didn't necessarily have to live here, but at least in the area. I

said let's wait a year, put away a year's worth of wages, I'd sell my property, we'd get the kids accustomed to moving and then move down with some money."

Roy, an insurance salesman recovering from heart surgery, was reluctant to head south because he feared he could not compete with the younger salesmen. "I just didn't want to get into that rat race and push like that," he says, "But she wanted me to just pack up and go and I couldn't do that."

Then Roy discovered that Jim was staying with Angie's brother in Paxinos while she was staying at the trailer in Shamokin. "That's when I realized that I didn't want to get involved with that situation," he says. "What, were the three of us all going down together?"

That realization was more of a turning point in his life. "I had written her letters every day telling her how I felt, saying that if I was doing anything wrong I was sorry," he says. "I told her I was

willing to do whatever had to be done to get us back on track because the children needed a mother and a father. I just didn't want to go through the rest of my life worrying that every time she walks out the door, she's meeting someone."

But according to Angie, Roy was a little more supportive of the idea to move to Florida. "He told me to go ahead," she says. "He said he would give me \$2,000 to help set me up in an apartment and when he and Denise [the oldest daughter] were ready, they would come down."

*"She started cursing at me
and told me she was
suing me and taking me to
court. I said 'No you're not,
because that's what I'm
going to do to you.'"*

by Mike Mullen

She wasn't surprised when he told her he wasn't going. "He'll tote you along," she says. "But when it comes to following through with something, he never does."

As for Jim, Angie claims she broke the engagement, but he was going to travel with her and Julie to Florida anyway to share the expenses. His parents lived on the west coast and when they arrived in Florida, he "helped me unload my trailer at my mom's house and then went to the west coast," she says.

Angie moved in with her mother until she could afford to get her own place. "But I told her it wasn't going to be any different from the ten or twenty times she went north to New Hampshire," Roy says. "They [Angie and her mother] just don't get along when they are together."

As he expected, it wasn't long before Angie was on the phone asking him for help, he claims she asked for \$4,000. "She wasn't down there a month or more when she called me saying she needed money," he says.

"Her mother was pushing her to get out and all I could think was 'Here we go again.' Only now she's not 450 miles away in New Hampshire, she's 1,500 miles away, and I don't know what's going to happen to my daughter. I don't know where she's going to be, if she has a place to stay, or even if she has a babysitter, I don't know anything."

The two decided to have Julie go north for a while to help Angie out. At this point, Roy still intended to give Angie some money, but Julie's visit changed that.

"I found out Angie was living with yet another guy, one of her mother's neighbors," Roy says. "She was living with him and still having a relationship with the original guy she went down there with. Now I thought, 'I'm not sending any money down there.'"

Angie denies living with another man at any point before she moved out of her mother's to her own place, but thinks Roy misinterpreted something Julie might have said.

"When I realized he wasn't coming down to join us," she says, "I explained it to Julie and told her it might be time for me to let someone else come into my life. But I never lived with anyone."

Roy then told Angie how he felt — he was afraid he would only be buying her some breathing space, maybe a month or two, before she would be back for more. "She'd be in the same jam again, only I would be \$4,000 poorer," he says. "That's when she started cursing at me and told me she was suing me and taking me to court. I said 'No you're not, because that's what I'm going to do,' and I hung up."

According to official records, Roy attempted to file for custody on his own without the help of legal counsel on July 14, 1990. When

this failed, he sought the aid of James Rosini, an attorney who, as a judge in 1987, had granted Angie's Protection from Abuse Petition. With his help, Roy filed for custody of Julie on July 24, 1990.

The next step was to take the matter before Harry Klein, a special master, whose job is to see if an amicable settlement could be reached without going to trial. The hearing was scheduled for Aug. 16, but much more would take place before then.

Afraid for Julie's well-being because she hadn't been able to contact her for some time and faced with custody papers from Roy, Angie immediately left Florida to search for her daughter in Pennsylvania. She arrived Aug. 6 and filed a counterclaim for custody of Denise on Aug. 10.

"I immediately called when I received the custody letter from Roy," Angie says. "I talked to Julie and asked her if she was coming back and she told me she didn't want to be there. That's when her grandmother picked up the phone, said, 'The kids are OK,' and hung up."

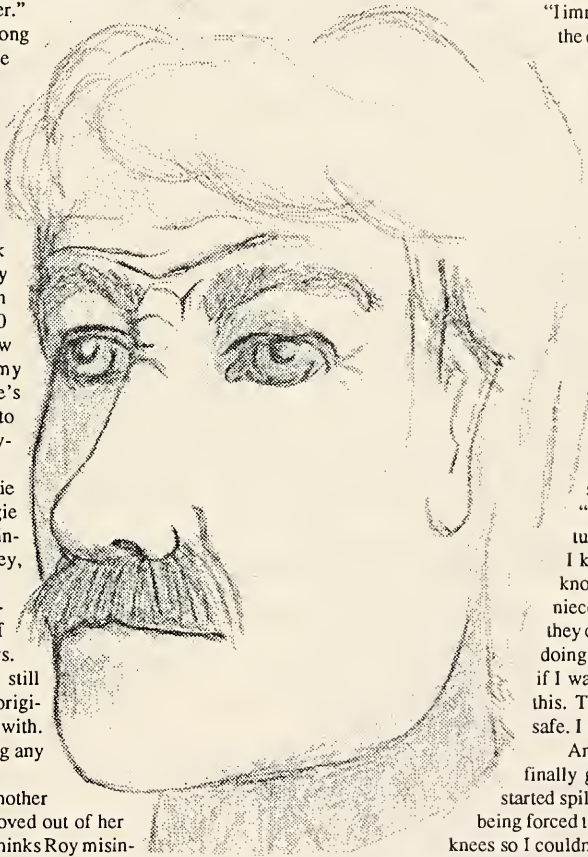
When she arrived in Pennsylvania, Angie found no one at Roy's, so she contacted a friend who arranged for a meeting with Roy. "I was hysterical," she says. "He wouldn't let me know if Julie was all right; he wouldn't tell me anything."

"Angie came up earlier than she was supposed to," Roy says. "She started showing Julie's picture around and telling people that I kidnapped her. What she didn't know was that she talked to my nieces at the swimming pool and they called me to tell me what she was doing. And the police called me to ask if I was aware that my ex- was doing this. They asked if my daughter was safe. I told them she was."

Angie didn't think so. "When I finally got Julie back on Aug. 16, she started spilling all these things to me about being forced to crawl around on her hands and knees so I couldn't find her. I was shocked," she says, referring to Julie's account of being kept in Roy's stepsister's home so Angie could not find her.

Roy doesn't deny the nature of the charge. "Angie was operating under the assumption that whomever had physical custody of Julie had custody of her," Roy says. "She figured if she could get physical custody of Julie and take her back to Florida I couldn't do anything about it and she was pretty much right. If I try to stop her and we start something, the cops show up and what happens? I go to jail, she has Julie, she's back in Florida and where am I? Trying to argue between states."

Faced with the possible consequences, Roy decided he couldn't allow the two to see each other and, legally, his actions were not punishable. "I was in my legal right in not letting Angie see her,"



Roy says. "Legally, I had the right to have her; my attorney advised me to do what I did."

Roy is referring to the 1987 order that established the physical custody of the two children and the subsequent visitation times. In that document, Roy was awarded visitation with Julie from July 17 until the Friday before the beginning of school. This would place the date for Julie's return as Aug. 16, coincidentally, the day the Special Master hearing was scheduled.

And that is when Angie finally got Julie back. The two parents went before Klein and the meeting was short and to the point "Once the word abuse was mentioned, the matter was bound over for trial," Roy says. "I was really upset. A friend of mine told me to just wait until I got down there because this guy was for the women 100 percent. But what bothered me was the fact that I couldn't explain any of the accusations. I even asked him why I didn't get a chance, but my lawyer told me not to worry because we would get our chance in court."

Klein's role was finished as soon as it appeared no settlement could be reached without a trial. He decided things should remain as they were; Julie with Angie, and Denise with Roy until the court could hear the case.

After several continuances were granted, the case was finally

heard on Nov. 2, 1990, in Northumberland County Court in front of Judge William W. Lipsitt, a specially presiding judge from Harrisburg. This assignment was made because none of the other judges were available at the time and had nothing to do with the nature of the case.

Angie was disappointed with the hearing for a number of reasons. She saw the hearing as unfair because the judge neither

listened to what Julie had to say while giving much weight to Denise's wishes, nor inquired as to how Roy would care for Julie. Her disgust with Roy's lawyer concerned his involvement with the original Protection from Abuse Order in 1987, his personal relationship with Lipsitt, and his appointment of the court psychologist who evaluated the family.

As for her lawyer, she was not happy with his representation of her. She believed he did not do an adequate job of raising

all of the important facts of the case, namely Denise's alleged abuse and Roy's misleading testimony.

However, an important point that may have been overlooked by Angie's attorney during this hearing was an off-hand, yet extremely essential, remark Roy made while on the stand, and while under oath. When asked if his income was sufficient to support both his home and his two children he replied, "Yes. I don't owe anything on my home."

"If I try to stop her and we start something, the cops show up and what happens? I go to jail, she has Julie, she's back in Florida and I'm trying to argue between states."

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This fact is significant because it showed the judge Roy was financially stable. It showed the judge he had no outstanding debt on his home. It also wasn't accurate.

According to official records in the Prothonotary's Office in the Northumberland County Courthouse, Roy has a \$5,000 lien placed against his property by the Department of Public Welfare (DPW) in 1984.

This information proves that at some point in 1984, Roy applied for cash assistance from DPW, because according to Joe Zenuck, claims investigator for the Northumberland County DPW, this is the only program that authorizes DPW to place such a lien. In such a case, the recipient would then be required to pay back any cash assistance received before the lien would be removed and the owner would again have sole title.

Even though the bond is \$5,000, this does not mean that this is the amount owed. And because government regulations prevent DPW from disclosing the amount of the lien, the amount owed can only be estimated at between \$1 and \$4,999. This is because as Zenuck says, "If they come in and get \$1, the bond is placed at \$5,000, if they get \$10, it's \$5,000, and if they get \$4,990, it's still \$5,000." The amount owed is only equal to the amount received, and normally, another bond is issued if the amount of assistance received exceeds \$5,000. Roy's bond was renewed in

1989, standard practice when a bond is not satisfied within five years of its original issue.

"I went on public assistance once for one month," Roy says. "I only received about \$400. And that should be taken care of by now, though. I paid it back some time ago."

Angie was also very disappointed in Judy Wiley's [the court-appointed family therapist] evaluation of her and the children. She says Wiley was selective in the information she reported to the court

and in the information she used to make her decision.

Initially, Roy was less than enthused with the methods being used by Wiley as well. "When we went to the court-appointed psychologist," he says, "I believed very strongly at the time that this lady was sexist. Angie had her two hours, but when I went down, she wanted to spend more time with Angie and the children. Now I was thinking, 'Boy this lady is against me, and

"After I won custody and the judge let Angie take her back, Julie was crying that I lied to her when I told her she wouldn't have to go back."

I'm going to lose.' But when she testified in court she explained she needed the extra time to confirm what she had observed the night before and then recommended that the children be placed with me."

According to court records, it was this testimony by Wiley that carried most of the weight in the decision to place Julie with Roy. "I've taken into consideration the testimony that has been given not only from both of the parties, but I'm particularly dependant upon the information and the testimony given to us by Mrs. Wiley," Judge

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Lipsitt said when he delivered his decision which was to grant full legal custody to Roy with liberal visitation in the summer and over the holidays for Angie.

What confused Roy was that the judge allowed Julie to return with Angie until Christmas vacation when a switch in custody could be made more easily for the sake of Julie's education. While he understood the reasoning, he was upset over the effect it had on his daughter because she didn't understand. "That summer, Julie said she didn't want to go back with her mother," Roy says. "Then after I won custody and the judge let Angie take her back, Julie was crying that I lied to her when I told her she wouldn't have to go back."

This carried over to when she returned in January. "She was totally different," Roy says. "Now she didn't want to be here anymore, she wanted to be with her mother. But she was telling Julie things like 'I'm going to die if you leave me' or 'If you don't stay, I'll die and you'll never see me again.' What kind of stuff is this to put in a nine-year-old's head?"

Angie believes Roy is turning the tables on her here. "He's taking something he said to me and saying I said it," she says. "He told me he would die if I left him. I can't say I never

said something like that in passing or in an incredible moment of desperation or heartache. And I pray Julie never took it seriously."

Despite losing custody, Angie did not intend to give up her fight for Julie. She found herself a new lawyer who was willing to work for free. This did not sit well with Roy who had to pay for his counsel. He even went so far as to call Angie's lawyer's father-in-law, a personal friend of his.

"I'm just thankful that Julie is here, because if Angie can't afford to take care of herself it would be very hard to take care of the child."

"I just wanted to know why she had a free lawyer," Roy says. "I have lived in this area all my life, she's living for free at the Women's Center; she's collecting money from Florida, and she's not even from Pennsylvania. I just wanted it to cost her what it was costing me."

This is what prompted his decision to file for support from Angie. "I would have never filed for support if I didn't have to pay for my attorney," he says. "It cost

me between \$3,000 and \$4,000. I only want the support until my lawyer is paid."

Angie's attempts to win her daughter back have included a number of petitions and motions. She filed both an appeal and a motion for a modification, just hoping for a quick hearing so she could return to Florida and resume her life.

But Rosini has handled Angie at every turn. First, he successfully argued that she could not both appeal and modify a decision.

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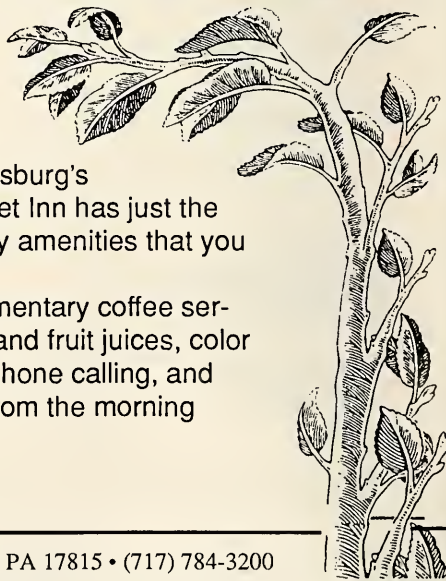
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Then came the support hearing which Roy won despite the fact that during the first custody trial, Roy claimed he was more financially secure than she.

When the modification hearing was held last May, Angie was disappointed. The two-day hearing only netted her an extra two weeks of visitation in the summer.

She returned to Florida alone and Roy was unsympathetic. "I told her when things first started," he says, "just get your life straightened out and then they can both come live with you if they want to. Denise has always had her choice and when Julie is old enough she will too. I said 'Why don't you just leave them here until you get your life in order.' But no, she didn't want to do that."

And then, Angie was not even able to see her daughters over the summer of 1991. "Julie couldn't come unless Denise did and Denise wouldn't come unless her friend came," she says. "I was having a difficult enough time making ends meet and bringing Julie down, let alone three kids. They would have all needed day care when I was at work, meals, and partial air fare back. I had to squeeze just to get Julie here, I couldn't afford all three."

Roy paints a different picture. "It was finances I guess," he says. "She has a new job, but expenses are a little heavier than expected."

"She couldn't get the money," Julie says when Roy asks her why she didn't visit her mom this summer. "She had to eat,

she had to pay rent and electricity, but she's trying to save money to come see me."

"And that's understandable," Roy says, "But I'm just thankful that Julie is here, because if Angie can't afford to take care of herself, it would be very hard to take care of the child."

But Angie, who is currently working as a licensed dance agent, believes she has a desirable life and can take care of Julie. "I have a beautiful apartment only four miles from the ocean," she says. "I work in a beautiful office. But even if I had the same rundown trailer in Pennsylvania, Julie would still have a better life with me. Finances aren't everything."

And Roy seems to be happy with his situation too. "I like my life," he says. "Oh, it's no thrill trying to raise two daughters, but basically I like my life. If you ask Denise, though, she'll say 'Dad, you have no life.' In a way she's right, I have no girlfriends, even though I may meet an occasional woman when I'm playing in my band. Still, after all of this, I'm a little gun-shy. I don't think I'll ever get involved in a relationship again. It's just too much of a problem. I'd rather go fishing."

As for the whole custody arrangement, Roy isn't ruling out change, but instead expects it. "When my daughter [Julie] is twelve she might decide she wants to move in with her mother," he says. "No, this isn't over. It's never going to be over." **S**

"No, this isn't over. It's never
going to be over."



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CAUGHT IN THE CROSSFIRE

Often used as pawns in custody battles, the children suffer most

Every game, even a simple tug-of-war, requires a referee. The concept of the game is basic, but a moderator is still essential because some battles are too close to call. And in custody cases, real-life tugs-of-war, it's the children who suffer most from a bad call.

According to attorney Susan Hill, Bloomsburg, the primary standard in custody cases is to do what's best for the child. "Any decision made is in the child's best interests," she says. But some suggest these cases too often become a battle between the parents, making the "best interests" of the child secondary.

Attorney John R. Gordner, Berwick, who has handled child custody cases for about five years, says most custody disputes are settled out of court.

Those that end up in the hands of a judge, however, are much more difficult to resolve. "Those are the times where you get into tugs-of-war," he says.

Joan Mosier, administrator for Columbia County Children and Youth, says, "All parents advocate themselves. People in a bitter divorce are hurting—it's difficult for them to set priorities."

Ken Lewis, founder of Child Custody Evaluation Services, Glenside, an organization that makes custody recommendations in unusual cases, believes custody disputes that make it to court almost always become tugs-of-war. "It happens more than 99 percent of the time," he says.

Lewis also says custody cases are usually the most difficult kind to judge. "Law-

"Under the age of 10, the court usually doesn't take into consideration where the child wants to go," he says. "Over 12, it's very important. And between 10 and 12 it depends on the maturity."

Julie, who was nine years old and living with her father in Shamokin in February 1991, wrote a letter to Judge Samuel Ranck asking to live with her mother, Angie.

Julie wrote, "I cry for my mom every night and I don't think that is normal. Now if you could just let me stay with my mom. I would be very happy. I love my mom and can't leave her."

This letter was part of Julie's effort to convince the court of what she wanted. "I wrote it so that maybe the judge would change his mind," she says.

But despite Julie's request, in a modification trial, Ranck ordered she stay with her father, Roy, and oldest sister, Denise. He did, however, grant her mother extra visitation time in the summer.

Julie says she felt confused throughout the custody battle, and the hardest thing was that she couldn't be with her mother. "It's like when you want to stay with someone and no one will let you," she says.

"All parents advocate themselves. People in a bitter divorce are hurting — it's difficult for them to get priorities."

yers put marbles on the scales of justice, and judges weigh the scales. But with custody cases, it's a preponderance of evidence rather than clear and convincing evidence," he says.

The child's wishes, Gordner says, are sometimes taken into account by the judge, but it depends on the child's age and maturity.

by Jennifer Stefanick

Angie believes Julie has been given no rights in the situation. "No adults will listen to her. My daughter's rights are not important," she says.

According to Angie, Julie recently wrote her a letter stating, "When you start fighting for me again, make sure you get me my own lawyer." Julie wants this because nobody is considering her wishes, Angie says.

"Julie said to me, 'No one's listening to what I want, and it's about me.' She just wants someone to listen because obviously the judge didn't," says Angie.

Angie also believes the children suffer the most in cases like these. "Roy and I are not the ones hurt," she says, "the children are."

Denise says the worst part about the whole ordeal is the way her parents act towards each other. "They were putting us on the spot all the time and we didn't know what to say," she says.

Roy agrees that the worst part for his children was watching he and Angie argue. "They were always caught in the middle," he says.

Denise also says it was difficult to keep up with her schoolwork during the custody battle. "I missed a lot of time [in school] going to court," she says.

Mary, a twenty-year old who went through a custody dispute when she was thirteen, says the court never asked her what she wanted.

"I just remember my mom telling my brother and me that we'd have to spend every other weekend with our father because the court said so. They never asked us if we wanted to or not," she says.

The court's decision, Mary says, eventually caused some hurt feelings for her. "Because my dad was involved with drugs, he'd often forget our weekend," she says. "We'd end up waiting and waiting. It was more painful than if we would've just played it by ear."

Mary says she is not pleased with the way the court handled her case. "Number one, they never asked me what I wanted, and number two, it later took them two years to figure out my dad hadn't been paying child support," she says. "That's ridiculous —

they should be on top of these things."

Denise says her biggest problem with the way the court handles custody cases is the way men are treated. "I think that women sometimes get away with a little bit more than men do," she says. "Sometimes that's good, and sometimes that's bad."

According to Sue Jackson, associate professor of sociology and social welfare at Bloomsburg University, judges are sometimes more lenient toward women.

"Sometimes judges are automatically biased in favor of women rather than being objective," she says.

Jackson believes judges who have no training in issues



like these should have experts to help with the case. "One would hope, if a judge does not have expertise, there will be consultants available so that he or she is helped," she says.

According to Lewis, custody cases are often more complicated when there is alleged child abuse. In fact, he says it's actually becoming common for parents to make "false allegations" against their spouses during a custody battle.

"It's a very popular maneuver lately. It's an advantage to the parent with possession. It builds time," he says.

But Susan Hill says parents who make these accusations often honestly believe

abuse occurred.

"It's not always spite," the lawyer says. "One parent doesn't know what's going on. A lot of times there's a perfectly good explanation for what happened, but the relationship is so hostile that they can't talk about it."

According to Jane Kearney, director for Northumberland County Children and Youth, when child abuse allegations are brought into a custody case, the court will sometimes ask Children and Youth for a family evaluation.

"We don't normally deal with custody cases. It's not our task," Kearney says. "Our responsibility is to serve families with neglect or abuse.

But sometimes, we do get placed in that role."

These family evaluations are designed to remove the child from the tug-of-war, according to Kearney.

"We need to do a family evaluation to do what's best for the child. We go to great extremes because the child has a right to a relationship with both parents," she says.

Mosier also stresses the importance of the child's welfare.

"We need to realize the child has two parents. Custody cases can be traumatic to children — they're already suffering because they're without one parent," she says.

The recent trend of "false allegations," or "spite referrals" as they are also called, has had some impact on Children and Youth organizations.

According to the Pennsylvania 1990 Child Abuse Report, there were 24,357 reports of suspected child abuse during that year, and Kearney says caseworkers have to make sure they treat all referrals equally.

Kearney says, "It got to the point where people immediately had suspicions in custody cases because of spite referrals. It's a big issue. We have to make sure the staff isn't assuming it's not valid."

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great deal of weight in court, Gordner says, pointing out, "They're very important, regardless of the age of the child."

Another problem that may put the child's best interests on the back burner,

Jackson says, is when parents fight for custody for the wrong reasons.

"They may want revenge, or they may want to make sure the other person doesn't get him or her," she says. "Or, they intellectualize and feel

they should be taking care of the child when, emotionally, they don't have the skills to effectively parent."

Jackson also says there are cases in which a parent is suing for financial reasons, "I've known of cases where the only reason a parent, for example, wants custody is because of the child support," she says.

The effects of a custody case on the child, Jackson says, are potentially traumatic.

"When there is that push and pull of affection and loyalty, it can really have ramifications on the child's self-esteem," she says.

"It is extremely important to have a sense of stability. [Custody disputes] devastate that equilibrium that all human beings should have."

The uncertainty of the situation also has an effect on

the child, Jackson says. "It's a disturbing phenomena not to have knowledge about what's going to happen," she says.

Jackson also says the child is often confused over which parent he or she can love. "They're not sure if it's okay to love mommy if daddy says she's terrible. The child needs to feel safe about that emotional bonding," she says.

"I cry for my mom every night. Now if you could just let me stay with my mom, I would be very happy."



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Because of the issues involved, Mosier believes custody battles tend to last a long time, leaving the child with an uncertain future.

"The process appears to be very lengthy to me," she says. "It's not unlikely for it to take a year. This gives instability — kids need to know what will happen," she said.

Hill, however, believes that the time factor in Columbia County is not as big a problem as it once was. "Now that there are two judges, we don't have the delay we used to," she says.

Gordner agrees that the process in Columbia County has become quicker since another judge has been made available.

"Since Judge Keller was made president judge in March of 1991, he has been more involved in scheduling cases. Now, it's a lot easier to get a full trial

and a judge in a custody case. It was six months to a year [for the process] but now it can be as little as two to six months," he says.

Gordner believes that psychological evaluations and family studies contribute to the length of the custody process. He cites as an example a case in which evaluations took almost six months to complete.

"It's not that the court wasn't ready," he says, "But, we had to postpone the trial

until the examinations were complete."

In Julie's case, the battle began in October of 1987 when her mother was awarded custody through a Protection from Abuse Order.

Since then, Julie has been through two custody hearings, a modification trial, and has been forced to wait out five continuances. Her "tug-of-war" has lasted over four years and, according to

"No adults will listen to her. My daughter's rights are not important."

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Julie's parents, it's not over yet.

Hill, who chaired a Columbia County committee in 1989 that explored the use of mediation in custody cases, believes the biggest problem with these battles is the effect it has on the family members involved.

"Once the litigation occurs," she says, "words are said that can't be taken back. There's such a strain on the family. Nobody understands unless they've been through it," she says.

According to Hill, the committee found that mediation with a professional instead of going to court is a good solution to the problems surrounding custody cases. But, she says, financial reasons make that impossible for Columbia County at the present time.

"Things such as psychological studies would make it even more expensive," she says. "Because of financial problems and a lack of funds we came to a dead end."

Mosier also believes the best solution is keeping the entire struggle out

of the courts, but emphasizes the parents' responsibilities. "If the parents can agree," she says, "they will be light years ahead."

Jackson agrees. "Ideally, what the parents should do is put the needs of their child first. They should set up guidelines, so that none of their dissatisfaction with each other spills over into the child's direct experience," she says.

Roy also believes the parents should work things out before taking the issue to court. "The logic

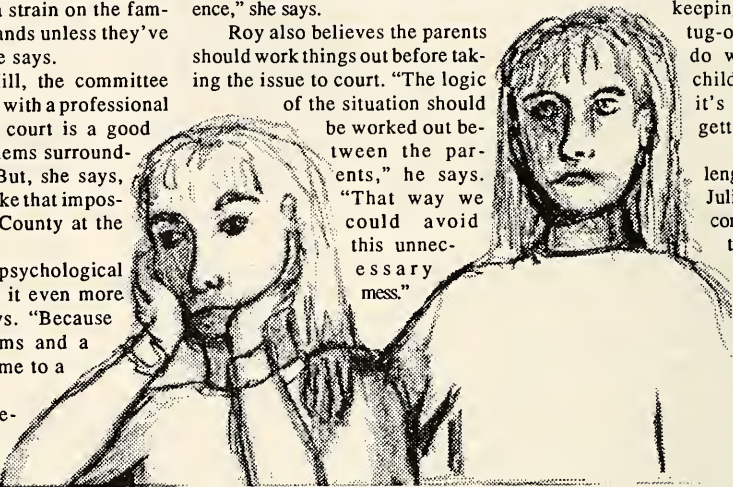
of the situation should be worked out between the parents," he says. "That way we could avoid this unnecessary mess."

Since it is unlikely the parents will always be agreeable, Hill believes in mediation. "It is something worth looking into. Due to the nature of custody hearings, if people can resolve it before going to court, it would be much better," she says.

Regardless of the solution, Kearney stressed the importance of keeping the child out of the tug-of-war. "We have to do what's best for the child," she says, "because it's not the child who's getting divorced."

Despite her family's lengthy battle, however, Julie wants her mother to continue to fight for custody. "I'd like it to go on until I can live with my mom," she says.

Denise, on the other hand, would like the battle to come to an end. "I'd like to be able to put it behind me," she says, "and get on with my life." **S**



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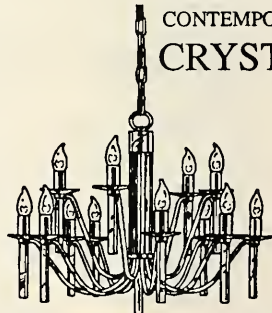
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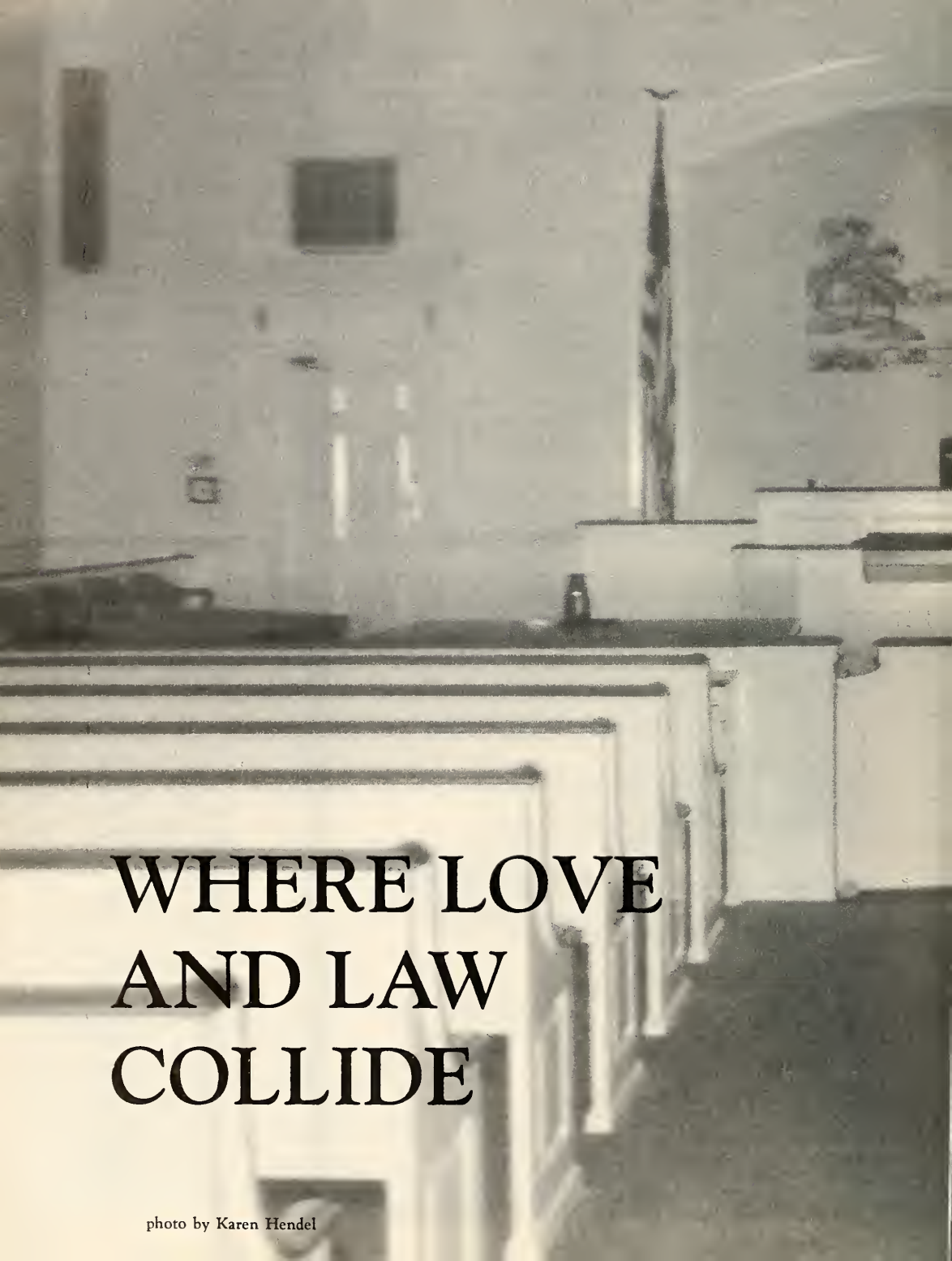
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**WHERE LOVE
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photo by Karen Hendel



Northumberland County Judge Barry Feudale says he hates custody hearings. In fact, the judge, who used to be involved with family counseling and who worked as a lawyer for a family welfare agency, says he is more fearful of domestic relations than cases involving hard-nosed criminals.

Feudale, 45, has seen a big increase in the number of custody hearings, as well as divorce and support cases. What disturbs him is the reason why he feels there is an increase.

"It's who will get that last victory," he says.

In neighboring Montour and Columbia counties, where two judges handle judicial responsibilities for about 78,000 people,

Judge Jay Myers, who spent 19 years on the bench before retiring in 1991, says custody cases were just another part of his job.

"There are specific laws that address child custody matters and the court uses them as a base. Then we take into consideration all of the other aspects that are involved with the family in the particular case and from there a decision is made," Myers, 70, says.

According to Feudale, Northumberland County Court had 440 cases involving custody, divorce or support in 1980. That number jumped to 1,192 cases in 1990.

Attorney John McLaughlin, the master hearings officer for Montour and Columbia counties, has heard 230 custody cases in the past 11 months. The numbers are less defined

by Pat Trosky

in these counties because prior to July 1, 1990, there was no master in support cases and a custody master was scheduled by appointment on an ad hoc basis.

Feudale says by the time a custody, divorce or support case reaches him, the issue is more than just the dollar and cents that can be liquidated from a relationship and it's more than just the issue of who gets the kids.

"It isn't economics anymore. It comes down to who has more power," Feudale says.

Feudale considers the child's best interest when making his decision in a custody case. But, by the time a case gets into chambers, the child has already been through other options, making the decision process more difficult.

In the initial stages of a custody petition, no matter how simple or complex the case may be, Northumberland County's custody hearing officer, Harry Klein, is the first person to try to find an amicable arrangement.

Klein, whose position is court-appointed, has been the county's custody hearing officer for three years. In addition, he also serves as a support and divorce hearing officer.

In Montour and Columbia counties, McLaughlin, 40, gets the first shot at settling custody as well as support and divorce cases.

Also court appointed, McLaughlin finds his job very fulfilling though taxing at times.

"There is a standard procedure based on the law that is followed in custody cases, yet depending on the ages of the children, I

The county has standard forms for custody filings, Klein says, and if a person cannot afford the filing fee, there is another form that, if approved, waives the fee. The same is true in Montour and Columbia counties.

In at least half of the cases, a lawyer represents one or both of the parties in a custody case, Klein says, pointing out an agreement can be reached at this level 95 percent of the time.

Neither Klein nor McLaughlin's hearings are officially recorded or "on record." The hearings are not only cost-effective, but also time-savers in a county that has only two judges to handle all civil and criminal proceedings.

If possible, Klein says he leans toward giving primary physical custody minors to the mother. This, of course, is the rule only if she is capable and qualified to care for the child.

Klein and McLaughlin don't consider themselves biased. Both have ruled in favor of the father in some cases.

Klein says that usually happens only when a child is older or when there are other mitigating circumstances.

In most instances, though, it is the father who has the job with the larger paycheck and the mother who can stay home with the child until he or she is of school age.

Grandparents are also given primary or secondary custody in some instances. Klein said this is sometimes suggested by the parents themselves.

"Every case is different and what I like to do is to make sure when we set up an agreement that each party knows what to expect," Klein says. He specifically encourages as much contact as possible with the secondary parent, even if it's only an occasional telephone call.

"I think a key to all of this is keeping the best interests of the child or children in mind," McLaughlin says.

Klein and McLaughlin say major decisions on the child's schooling, religion and health care should be shared by both parents, as well as parent-teacher conferences and social and civic functions where the child might be involved.

When there is more than one child in a custody case, the masters, as well as judges, feel the siblings should be kept together.

"It's like fixing something that isn't broken. If the children are happy together, why separate them? Everything has to be taken into consideration and all aspects must

"It isn't economics
anymore. It comes down to
who has more power"

usually like to talk with them. I'm sensitive to coaching and in the end, a lot of things are taken into consideration when determining custodial arrangements," says McLaughlin.

Both McLaughlin and Klein follow the same procedure in the early stages of a hearing.

"First, a complaint is filed, then about a month after the filing, I hold a hearing," Klein says.

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be weighted, but when everything else is equal, children should be kept together," Judge Myers says.

If there is much emotion or the feelings of parents are volatile, Klein and McLaughlin usually ask parents to look beyond themselves and to the future of their children and their needs.

If there is an alleged or proven abuse, Klein says he will stipulate that there be an unrelated adult (usually a neighbor or member of the clergy) present for visitations. A witness is also recommended when there is a long separation between the time of visits.

Another problem that arises frequently and sends couples back to Klein for further review of custody arrangements is the relocation of one or both parents. In some cases, parents move just to put distance between each other and prevent visitation, he says.

"The courts don't look too lightly on parents who do that," Klein says.

About one-third of his cases are existing orders that need to be modified. With no specific numbers on hand, McLaughlin says

he, too, sees many modifications to previously approved orders.

McLaughlin notes that "nothing is ever cast in stone." He likes to let individuals know, especially those who fail to get primary custody, that there is always hope as time goes on that an order can change.

"Our society is a mobile one and as some parents move apart, visitation becomes

Those custody cases that go to Common Pleas Court will be officially recorded and all information will become a matter of record. What is eventually decided must be followed or one or both parties may be held in contempt of court.

It is not unlike Feudale to give either parent what he likes to call a "whiff of the possible" if they violate his court order in a custody matter.

The "whiff" is a few hours, days or weeks in the county prison. This is done, Feudale says, to let both parties know how serious the court is on maintaining its directives involving the welfare of the children involved.

Klein and Feudale believe there has been an "explosion" in family law, not just in Northumberland County, but nationwide. Klein believes one of the reasons is the passage of the "no fault" divorce laws more than 10 years ago.

As Feudale sums it up, "The amount of these custody cases has become out of sight. There is a lot of adversarial feelings and bitterness involved, and when that happens there is a decrease in stability." **S**

"It's like fixing something
that isn't broke. If the
children are happy together,
why separate them?"

difficult," Klein says. "With this mobility, there is always that possibility of a change or modification in custody."

For as successful as Klein's and McLaughlin's methods have been, divorce and support matters at a lower level of the court system—about 5 percent of the time—cannot be resolved and the couple end up before Feudale, Myers, or another judge.

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BALANCING THE SCALES OF JUSTICE

*While weighing the children's
welfare, lawyers fight for
their clients' interests*

Angie never figured what she didn't know about the legal system could hurt so much. By the time she realized, it cost her custody of her youngest daughter.

She found herself in need of an attorney on July 24, 1990, when Roy, the father of her two daughters, filed for custody of the youngest, Julie. Angie still believes her decision to retain Bloomsburg attorney Thomas E. Leipold is the main reason she now only has visitation rights to see her 10-year-old daughter.

"When you're brand new in the realm of lawyers and the judicial system, you don't know what to expect," says Angie, who first was awarded custody of Julie on Oct. 9, 1987, through a Protection from Abuse Order, with the advisement of Peter Mackie in Northumberland County Court.

"It was real frustrating trying to find someone," she adds. "I never had to have a lawyer before."

Leipold originally was referred to Angie through the Bloomsburg Women's Center in October 1987. Leipold repre-

sented Angie when Roy filed for custody of Julie in 1990.

Angie had a feeling the proceedings weren't going her way shortly after the hearing began on Nov. 2, 1990. Because she believed her arguments were never adequately presented, Angie was dismayed—but not surprised—when Judge

*"When you're brand new
in the realm of lawyers and
the judicial system you don't
know what to expect."*

William W. Lipsitt of Harrisburg awarded legal custody of Julie to Roy, who was represented by former Northumberland County Court Judge James Rosini.

"During the hearing he told me to write him notes about what I wanted," Angie recalls about the arrangement with Leipold. "He did not do one thing I asked him to do. I should have never lost."

Leipold, however, disagrees. "I did as well as I could on that case, as I do on all of them," Leipold says.

Angie wrestled with the thought of losing her daughter, searching for alternatives.

"It is my belief that Attorney Leipold has given my daughter away due to his negligence. I am sincerely afraid for my daughter," she said at the time.

Angie feared for Julie because her oldest daughter, Denise, allegedly had been sexually molested once by one of Roy's friends. Angie adds that Leipold would not introduce that allegation during the custody hearing, despite her repeated requests.

Angie was also upset that her attorney failed to attack Roy's alleged instability that she says caused him to go through five jobs in six years and run several businesses bankrupt.

The feeling of helplessness on the heels of her court loss further devastated Angie. Angie still owes most of her \$3,000 of legal fees to Leipold and is slowly paying them off.

Although Leipold refuses to discuss

by Jeff Fishbein and Brian Rippey

the specifics of the case and his dealings with Angie, he says he did his best and disputes Angie's claim that he handled her suit as if it were his first child custody case.

Leipold, who works for the Bloomsburg law firm of James and Mihalik, is a graduate of the University of Toledo law school. He says he has handled between 50 and 100 child custody disputes. In addition, Leipold says he has served as a special master for the courts in custody cases.

Although Leipold claims he is fairly knowledgeable about child custody and other types of family law, he no longer accepts custody cases. He is shifting his area of concentration to commercial, insurance, real estate, and civil litigation.

"I t's some of the more stressful work that I've done," Leipold says about child custody battles. "You tend to develop a fair emotional investment in your clients and in your cases. It's pretty hard to do your job well if you don't. When you have a situation like custody, it's more a personal case than representing a business corporation over some commercial contract. You tend to empathize more with your client."

Last January, Angie's case was accepted without fee by Mount Carmel attorney Elizabeth Beroes, whose motion to modify custody was granted by Northumberland County Judge Samuel Ranck on Feb. 7, 1991.

Beroes, who earned the Pennsylvania award for free legal work in 1990 and 1991, says she accepted Angie's case on a *pro bono* basis because of some of the unusual circumstances involved.

"Regular custody cases are usually one hearing and that's it," Beroes says. "But this wasn't a regular custody case. There was a lot of fighting back and forth."

After numerous delays, Judge Ranck, on May 21, modified the custody agreement to allow Angie to have Julie for six weeks in the summer, an additional two weeks from the previous agreement.

Although not satisfied with the decision, Angie doesn't blame Beroes for failing to win full custody of Julie.

"I'm proud of her," Angie says. "She's been at this for just five years. My lawyer was up against the big boys."

Although Beroes has had limited contact with Angie since the May 21 decision, she says she is still handling the case. Beroes says she asked Angie to write from time to time but has not received a letter. Beroes also says she returned the only message she received from Angie, but got no answer when she called.

From the time she took over the case in December 1990, Beroes did all she could to sway Judge Ranck's opinion in favor of her client. But she says

ter] had been sexually assaulted, and she didn't know Julie was locked in a cellar."

The cellar incident allegedly occurred in the summer of 1990 when Julie was visiting her father. When Angie came to pick up her youngest daughter, she was unable to find her and later was told Julie was locked in the basement of the home of Roy's stepbrother's wife. Roy denied that he locked his daughter in a cellar.

Beroes also accused Roy of doing other underhanded things during the custody dispute. One that particularly appalled her was his telephoning her father-in-law and requesting him to ask Beroes to quit giving Roy a hard time.

"I've handled some nasty cases since I've been in practice," Beroes says. "And that has never happened. Never."

Despite knowing that she did all she could, Beroes says she was disappointed with Ranck's ruling to grant custody to Roy. She not only felt sorry for her client, but Beroes sympathized with Julie, whom she felt was a victim of the system.

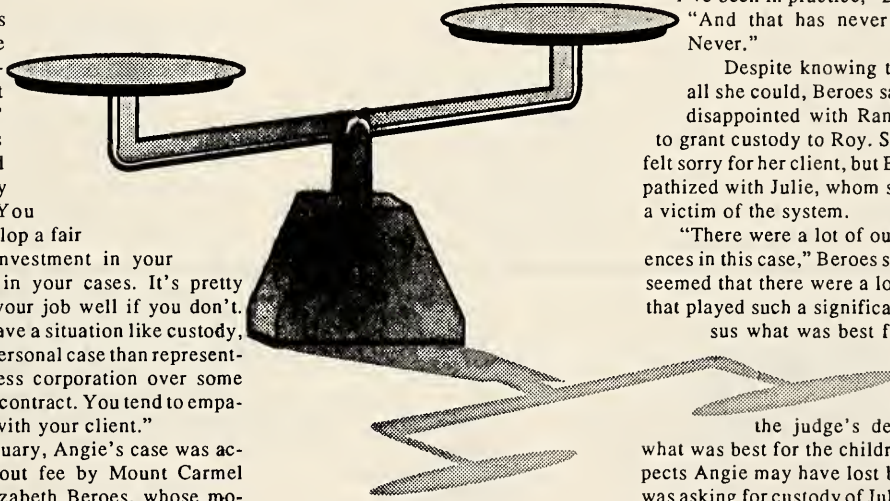
"There were a lot of outside influences in this case," Beroes says. "It just seemed that there were a lot of factors that played such a significant role versus what was best for the children."

Rosini argues that the judge's decision was what was best for the children. He suspects Angie may have lost because she was asking for custody of Julie only, not both daughters.

Keeping siblings together is "a factor that is still considered by judges," Rosini says. "I think that was a very important factor. One of the things in this particular case that I have argued all the way through is she has never even asked for Denise."

But Harold Woelfel, a former Selinsgrove attorney who was appointed to fill a vacant seat on the Union-Snyder County bench, disagrees. He says most judges no longer are swayed by an unusual division of siblings in custody cases.

"We don't have the nuclear family anymore," Woelfel says. "We don't have Dad going off in the DeSoto and Mom staying home waiting for the bread and the milk and the dry cleaning to be de-



she became frustrated when Rosini, who had served with Ranck as a Northumberland County judge, was granted three consecutive continuances.

"Rosini got at least one continuance for every hearing I set up. That's abnormal for any judge," says Beroes, who received her law degree from Ohio State University. "Usually, they'll give one."

Beroes also was upset with the findings of Judy Wiley, a court-appointed psychologist who recommended Julie would be better off living with her sister and father. Beroes claims Wiley made her recommendation without knowing all the facts.

"Judy Wiley didn't know two important facts," Beroes contends. "She didn't know Denise [the oldest daugh-

livered. That's not the way our society works.

"There may be a very good reason [to separate siblings], and I don't have a particular problem with that," he says.

Woelfel has more than just a professional background in domestic disputes. Divorced with a stepdaughter, Woelfel admits he acted as irrationally during his divorce proceedings as he would tell his clients not to.

"[It causes] you to sweat bullets, get angry, come back in chambers and vent afterward," Woelfel says. "Dealing with these issues is part of what I've chosen to do when I became a judge."

When a custody matter comes before the court, a judge, after a few hours of testimony, is expected to render a decision that will serve the best interests of a child for the rest of his life. In most situations, the judge must play King Solomon and legally split the family.

A lawyer representing a party in a child custody case must deal with the same difficult questions. Is his client

the best parent for the child? Rosini admits some members of his profession will take on a case simply for the income, regardless of their clients' ability to win the case.

In central Pennsylvania, most lawyers charge about \$350 for handling a regular child custody case, according to

time he has available.

"I have to try and do as good a job as I can," Rosini says. "I think there are general practice attorneys who are very good at family law because they're interested in it and they keep up with it."

The custody order a judge issues is often strictly followed by both parties.

In these cases, the court system is considered successful. But in other cases, the involved parties drag out the issue for extended periods of time.

While the custody battle between Angie and Roy took on some familiar patterns, one thing was noticeably different, Rosini points out. Although legal precedent was changed to end a presumption

that children should be kept with their mother, Rosini says older judges still often subconsciously favor the mother.

Another problem in this battle arose because Angie received free legal services from Beroes while Rosini says his client had to dig deep into his wallet every time Angie took him to court.

"He did not do one thing
I asked him to do. I should
have never lost."

Beroes. If the case goes to trial, the fee is an additional \$1,000 for each day in court. Since Angie's case was in court for two days, Beroes said her bill would have been more than \$2,000, if she had not been working for free.

Rosini says that when he takes on a domestic matter, he researches and investigates the case — within the limited

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"When a person is getting a free attorney, you're at a financial disadvantage because they can paper you to death," Rosini says. "They can file motion after motion that you are required to defend and you are put at a financial disadvantage as to what you can do."

Woelfel agrees that is a problem, but not an insurmountable one. He says if a parent continues to file petitions for a custody modification without proving justification, those petitions won't get full consideration. He also points out that the legal system has mechanisms to prevent frivolous motions and other abuses of the process.

Another roadblock to a quick decision of Angie and Roy's battle was the introduction of an outside psychologist on Angie's behalf. Rosini says the Florida psychologist basically repeated everything Angie had said in court. He complained that her expert testimony was based on short interviews with only Angie and Julie. With this information, the expert determined the

split custody Angie sought would be better for Julie.

Rosini argues that a psychologist or counselor must observe more of the child's interaction with both parents, alleging that children can be coached to say almost anything.

literally is my witness — and both parties have the right to cross-examine."

Rosini says he understands why Angie has continued to keep the matter in the courts. But he also accuses her of overreacting.

"My children have never been taken away from me," Rosini says. "I might claw and scream and yell and kick, too. I sympathize with a woman whose child has been taken away from her, and she is grabbing at every straw she can. But I don't think some of the things she's doing are helping. I think she's grabbing at too many straws."

Woelfel stresses cooperation as a big part of settling custody matters without a lengthy court battle. He informs parents involved in

such cases that their cooperation with respect to the child's best interests will be helpful to them in court decisions.

"The issue in any custody fight is what is in the best interest and welfare of the child," Woelfel says. "That is what it's all about." **S**

"You tend to develop a fair emotional investment in your clients and in your cases. It's pretty hard to do your job well if you don't."

"If dad or mom wants to hire his or her own psychologist, I can't stand in the way," Woelfel says. "If people can agree on one, that's frankly my preference. The benefit of one evaluator is that person then becomes the court's witness. That person is neutral — he



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A BATTLE OF EXPERTS

Most believe court-appointed therapists have all the answers, but it doesn't always work that way

Parents teach their children that compromise is the key to solving disagreements. Television programs like "Sesame Street" devote entire shows to teach children the concept of cooperation.

But what happens when adults find themselves unable to reach a compromise? Parents can mediate disagreements between their children, but when they disagree, there is often no one in their family to turn to for help.

Such is the irony of child custody battles.

Parents find themselves unable to agree on who should care for the children. And when they find themselves at such an impasse, parents must look to courts for answers.

Angie and Roy were in a similar situation after their sixteen-year relationship ended in 1987. The argument over which parent should have custody of the couple's two daughters, Denise, 15, and Julie, 10, has developed into a four-year legal battle.

The judges who hear custody cases are forced to decide which parent would provide a better home for the child. However, judges can base their decisions on whatever

factors they believe to be significant. They must obtain an accurate picture of the child's home life, and one of the most common ways for judges to see this is through psychological evaluations.

"This case has become a battle of experts," remarked visiting Judge Walter Lipsett, referring to the importance of psychological testimony in the custody battle.

"It's not uncommon for agencies to stipulate the tasks to be completed during an evaluation, not the length of time the counselor should spend."

Lipsett awarded custody of Julie to her father in November 1990, and admittedly based his ruling largely on the testimony of Judith Wiley, a family therapist and clinical director of Northumberland County Counseling Services.

Wiley was recommended by Roy's attorney, James Rosini, because the regular

county psychologist was on vacation. Wiley is not a licensed psychologist; she works as a family therapist.

"It's a common belief that an expert witness is going to provide the court with the correct answers," says James Dalton, Ph.D., a clinical psychologist. "It doesn't always work this way, though. A court is set up to be adversarial, with two sides fighting

over what they think is right."

Dalton says it's not unusual for the two sides in a custody battle to bring in psychologists who contradict each other. "Parents aren't going to let a psychologist, or anyone else who might harm their chances of obtaining custody, testify in court," he says. "They are going to seek out people who support their side."

Wiley conducted a family evaluation, which enables counselors to observe interaction between families who are involved in custody battles. Wiley's evaluation, conducted over two evenings, consisted of meeting with Angie, Roy, Denise, and Julie as a family and also individually. She spent four hours interviewing the family.

by Ellen Condron

In her report to the court, Wiley observed, "Julie and Denise were more relaxed with their father, more tense with their mother." She also stated Roy was more open with the daughters while Angie appeared more intense. Wiley also found the girls were "more free and open with their father, more cautious with their mother."

According to Sue Jackson, associate professor of sociology and social welfare at Bloomsburg University and a former caseworker for the department of Children and Youth Services in Texas, there is no set length of time for a family evaluation.

"It is not uncommon for agencies to stipulate the tasks to be completed during an evaluation, not the length of time the counselor should spend," says Jackson.

Some of the signs social workers observe are how well the family functions together and individually, how family members react to one another and how they communicate their feelings both through words and actions.

Based on her evaluation of the family, Wiley recommended Julie and Denise live during the school year with their father, spend every other holiday with their mother, and spend a minimum of one month a year with their mother.

She recommended liberal visitation and telephone contact between both parents and their daughters "so each daughter has access and permission to relate to both parents."

She concluded that Angie was not open and responsive to her children because she sat with her legs and arms twisted and she appeared aloof. But Angie says, "I am double jointed and it is automatic. I do it at dinner, at work, at cocktail lounges, at the pool — anywhere and everywhere. It is a habit."

According to Jackson, unannounced visits to a family's home would provide the most accurate portrait of the family situ-

on the testimony of a therapist can vary greatly depending on the judge," says Jackson. "Some judges give the decision a lot of weight, and others have their own values and opinions with which they decide cases. Each case depends on the judge and his respect for social workers."

Jackson believes past experiences with custody cases also play a part in deciding new cases. "Most knowledge of child custody

comes through experience," she says.

Upon her return to Florida, Angie solicited a second evaluation from Robin Leonard, Ph.D., a clinical psychologist specializing in family therapy.

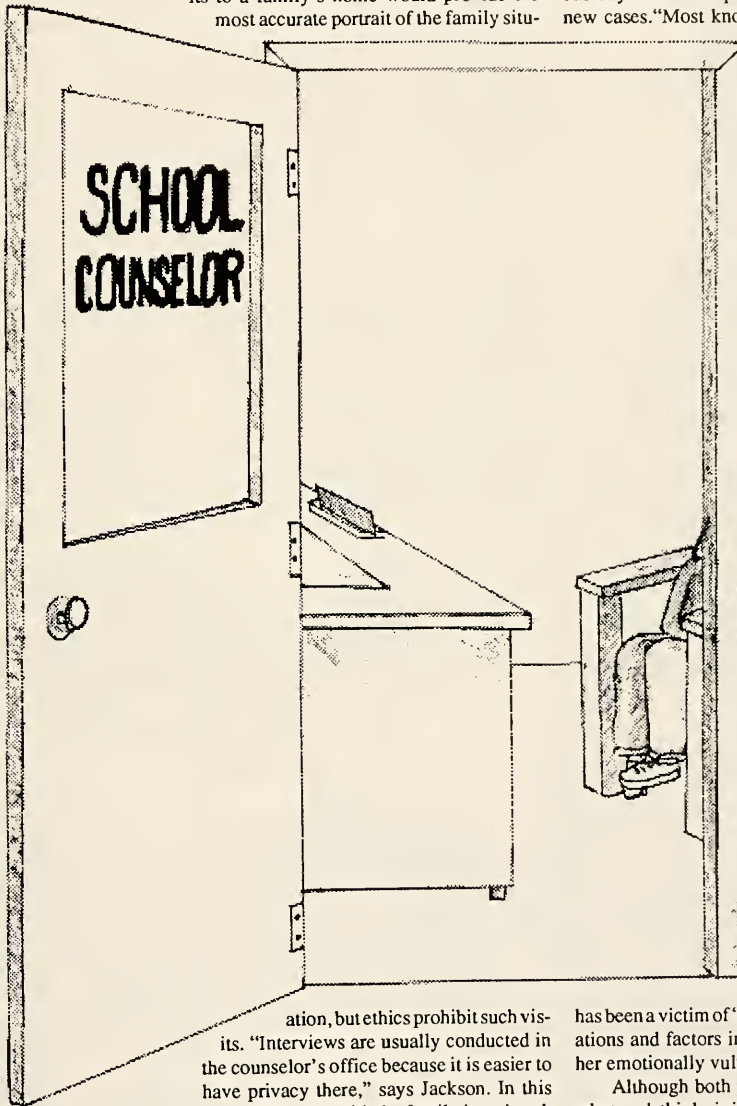
Angie says she needed to find out how accurate Wiley's evaluation was. "She [Wiley] wiped up my motherhood of two children in 25 minutes of testing," Angie says. "I would have stopped if this evaluation was negative."

Leonard does not deal with issues of custody. Instead, she prefers to work as what she terms a "people-changer." She encourages her clients to make positive changes in their lives.

"I leaned on Angie to make the changes which would be best for her," says Leonard, who thinks Angie

has been a victim of "situation stress." "Situations and factors in Angie's life have left her emotionally vulnerable."

Although both parents are fighting for what each thinks is in the best interest of the child, the family strife a custody battle can cause often has negative effects on the child. One place where these effects can be easily measured is where children spend most of their time — in school. Because children go



ation, but ethics prohibit such visits. "Interviews are usually conducted in the counselor's office because it is easier to have privacy there," says Jackson. In this case, Wiley met with the family in a church office. Finding a neutral place sometimes helps, according to Jackson, "because neither side feels like it's starting the process with an upper hand."

"The amount of weight a judge places

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to school on a daily basis, school officials are often able to spot any changes in a child.

Ned Sodrick, principal of Shamokin Elementary School, which Julie attends, says that teachers and counselors are seeing more instances of families involved in child custody battles as the divorce rate continues to rise.

"Some kids really struggle with the situation, others don't," he says. "But if the school becomes aware of a situation, the teacher is notified to be aware of any changes in the child."

According to Angie, Julie went to Sodrick and asked to talk about the custody battle, and he replied, "We don't discuss home situations at school." However, Sodrick says any child who approaches him with a problem is referred to the school psychologist.

Schools do not become involved in custody cases unless they are notified by the courts that one parent is being denied access to the child.

"Sometimes parents come to us and want the other parent to be kept away from the child," says Sodrick, "But we can't do anything until we see a court order."

Celeste Rinehart, principal of Pelican Island Elementary School in Sebastian, Fla., where Julie attended fourth-grade, sent a letter regarding Julie's situation on Oct. 16, 1990, to the Northumberland County Court of Common Pleas.

Rinehart said she felt it was in Julie's best interest not to miss school. She wrote, "Julie is a well adjusted student

"Each case depends on the judge and his respect for social workers."

and is performing within an average academic range. Because many new concepts are introduced at the fourth grade level, I do not feel it is in her best interest, either emotionally or academically, to have her absent from school for any non-medical reason."

Mary Lou Austin, guidance counselor at Central Columbia Elementary School, says it is standard school policy



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that until a legal decision is made in a custody case, both parents have rights to the child. "We've never had a problem with parents trying to kidnap a child," she says.

"Sometimes the stress of the situation at home has the potential to affect the child's academic success, so we try to give as much support to the child as we can," says Austin. She believes children at the elementary school level benefit most from one-on-one attention as opposed to group support.

"Although it would be neat to form a support group for children going through similar experiences, children between the ages of six and eleven are usually too 'me centered' to benefit from group support," says Austin.

While a student at Pelican Island, Julie, and three other children her age whose parents are divorced, met once a week with Mary Ellen Davies, a prevention-intervention counselor.

In a letter to Northumberland County Court written on Feb. 13, 1991, Davies noted "When Julie returned after Christmas [from visiting Roy], she was not the same student. Her attention span was shorter, her conversations often turned to the subject of what is going to happen."

Later in the letter, Davies stated, "I see her as a fragile child that needs to have the

certainty that tomorrow will be like today and not constantly changing."

Laura Davis, guidance counselor at Bloomsburg Middle

"She wiped up my motherhood of two children in twenty-five minutes of testing."

School, says adolescent children whose parents have gone through a divorce seem to want to find others who have gone through the same thing.

"Parents are so angry that they sometimes use their child as a weapon to hurt each other, but in turn the child gets hurt as well," says Davis. "Kids need to know that it is OK for them to be angry, too." **S**



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Rebecca Ermisch
Designer

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SEARCHING FOR SOLUTIONS

In an effort to speed up the process, parents often get trapped in a maze of agencies

The door to the grocery store swings open and a man runs out screaming hysterically, "Help! He shot my boss!"

Within minutes police arrive at the scene and the justice cycle begins.

After an investigation, it ends with the criminal being caught and sentenced.

The victim of the crime is finally at peace.

But as Angie discovered, it's not this easy to get quick results from agencies that deal with domestic problems.

Her search for solutions began more than a year ago and has put her in contact with numerous agencies, including Children and Youth Services (CYS), a division of Northumberland County Human Services.

In this case, CYS conducted interviews based on sexual abuse accusations which arose during the custody battle. Angie has also claimed to have contacted CYS on several other occasions alleging abuse and says CYS did not contact her within sufficient time after filing a report. However, according to the Pennsylvania Department of Public Welfare's 1989 Child Abuse Report, "within 30 days of the receipt of a report of suspected child abuse, the

Child Protective Service (CPS) in the county children and youth agency or staff in the Department of Public Welfare's regional office must conduct an investigation and determine if the report is founded, indicated, or unfounded."

CYS Director Jane Kearney did not comment on whether or not the agency has received additional reports by Angie, nor

admission of the act or acts of abuse by the perpetrator; UNFOUNDED when the report is not founded or indicated. Unfounded reports are destroyed within a year after they are received."

According to official CYS records obtained from Angie, the agency first became involved with her case on Oct. 11, 1990, when CYS filed a report describing a sexual

assault on Denise, Roy and Angie's daughter, by a friend of Roy's. The actual date of the incident is recorded as July, 1989.

Roy's friend, then 45, is listed on the document as a babysitter to Denise, and is detailed in the report as to have "digitally penetrated child."

According to the case status section of the report:

"On October 11, 1990, Northumberland County Children and Youth Services received a CPS referral alleging sexual abuse of a minor child. Child was interviewed on several occasions and stated that the perpetrator 'was rubbing my legs and then put his hand up my shorts and put his finger in me.' Perpetrator was interviewed on October 22, 1990, and denied the allegations.

"We are a society numbed to violence with a 'No Big Deal' attitude."

did she address the issue of responding within a given period to reports.

Also according to the Department of Public Welfare, "a report is determined: FOUNDED when there is a judicial adjudication that the child was abused; INDICATED when the CPS determines there is substantial evidence of abuse based on medical evidence, the CPS investigation or an

by Dan Trexler

This case meets the criteria for sexual assault in that it involved sexual involvement including the touching or exposing of the sexual or other intimate parts of a person for the purpose of arousing or gratifying sexual desire in either the perpetrator or subject child. Therefore, this case is marked indicated."

Roy, who "trusted him implicitly," was shocked with the incident. "That was a really hurtful situation to me," he says. "I've known this guy for over twenty some years."

Kearney refuses to comment on any specific case the organization deals with, but notes that CYS does not usually get involved with custody matters. "We don't normally deal with custody cases. It's not our task," she says.

In this particular case, CYS took only 11 days to come to a decision based on talks with Denise. This 11-day period is well within the required amount of time CYS designates for the investigation. Tina Yasenchak, child protective services supervisor, was not permitted to talk about her involvement with the case, but did comment that the agency will generally "work to keep the current family intact."

In yet another report by CYS it has been alleged that Julie sustained a degree of mental abuse by Roy. In this report, dated Jan. 3, 1991, under Section II (Nature of Abuse/Neglect) the mental injuries are explained in that "referral stated that the child is afraid of alleged perpetrator because he had locked her in a cellar with spiders." The date of the incident is recorded as July-August, 1990. Roy, responding to this allegation, says, "I was in my legal right in not letting Angie see her. I did that under the advice of my attorney. He told me to do that. Legally, I had the right to have her here." This report was labeled unfounded by CYS.

Another division of county services, Juvenile Court Services, does not directly involve itself with cases involving child custody matters except when a crime is committed by the child. "We are only involved with kids that break the law, in terms of custody," says Charles R. Chervanik, supervisor. "We do take children into custody, but it is somewhat different than Children and Youth."

As far as any involvement with custody other than a criminal matter, Chervanik notes that officials from Juvenile Court Services may be asked to testify, but a recommenda-

care [as opposed to the general length of six to nine months] to be one to three years," says Chervanik.

Juvenile Court Services receives about 550 referrals a year, primarily from police departments, says Chervanik.

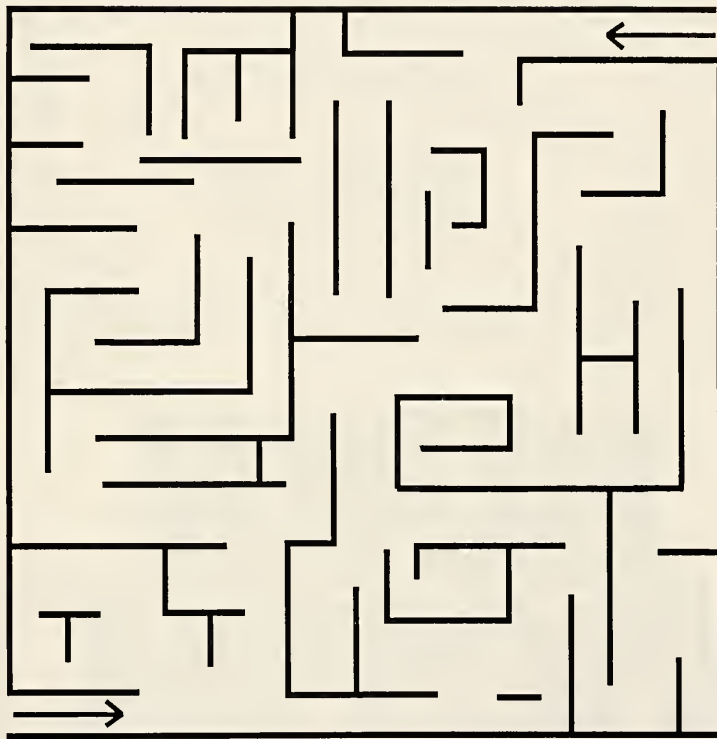
Although no contact in this particular case was made with Juvenile Court Services, Angie did deal with the Bloomsburg Women's Center. The Women's Center provided Angie a place to stay during the court proceedings, counseling and advice, and talked to the children concerning their feelings during the entire situation.

The Women's Center in Bloomsburg is a nonprofit organization that was formed in 1974 and incorporated in January 1976. Its primary role is to provide free support services to victims of domestic violence, sexual assault and incest. The center was established to serve residents of Columbia, Montour, Northumberland and lower Luzerne counties.

The philosophy of the Women's Center is that all individuals are equal to one another and have the right to live in a nonviolent environment, according to a brochure published by the center.

The center, started in part by Melissa Dyas, executive director, is one of the first agencies of its type to be founded in the state and has been in Bloomsburg for almost eighteen years.

Although it is not a primary function, the center does get involved with cases that deal with child custody matters. "Our center will only get involved with a child custody case if there has been physical or sexual abuse to the parent or child," says Marianna Sokol, counseling coordinator. "The center cannot provide counseling based solely on



tion as to which parent will gain custody "would really have to be made case-by-case."

After taking a child into custody, the agency has two options. It may admit the child to a detention center, or may request the court to offer foster care, as the state of Pennsylvania will no longer license Juvenile Court Services to offer foster care.

If a foster care program is initiated it will usually last for six to nine months, with a hearing before a judge after the sixth month to determine if any future care is required. "I would consider long term foster

emotional abuse because it is not covered under the Protection of Abuse Act and is subjective."

In custody cases, the center provides victims with a knowledge of options that he or she may take, as well as offering counseling and support groups and accompanying those affected to trials and hearings.

"We believe in empowerment," says Sokol. "It is the job for the victim to do for him or herself as much as possible."

Diane Magagna, children's counselor, also believes strongly about matters concerning custody and domestic violence. "You have to take a very, very careful look when dealing with a domestic violence case," she says. "We are a society numbed to violence with a 'No Big Deal' attitude becoming more and more apparent to me."

In dealing with this case, Magagna made several contacts with Denise and Julie, both parents' attorneys, and Angie while she resided at the center.

"In this case I served a dual pur-

pose, but didn't feel comfortable doing so," says Magagna when speaking of her contacts with both the family and their attorneys.

"In most cases my role is solely as a child counselor; however, my role [in this particular case] is a child advocate and supporter for Julie as well as Denise," she says.

Through her contacts with the two

"A residential treatment center is one of the worst alternatives for a child."

children, Magagna was able to provide insight to the personalities of each, noting that Julie suffers from what she has termed post-traumatic stress disorder. "The child is one person here and another there," she says, referring to Julie's relationship with both parents.

In speaking with Denise, Magagna has observed a bit of vulnerability, noting that Denise is a victim of what she has termed accommodation syndrome.

"The child accommodates things to preserve the family," she notes, referring to Denise possibly assuming a motherly role during times of Angie's absence and Roy's illness.

Magagna further expressed concern of the mental state of the children, particularly Denise, as she is not directly involved in the custody battle, thus choosing to remain with her father. "The child [Denise] must be educated," she says. "I am worried as to whether he [Roy] is treating that."

Angie has expressed that she will continue to work with the Women's Center. "I will be affiliated with the Women's Center for the rest of my life, whether as a speaker, or simply a volunteer," she says, knowing full well that her search for solutions is not over and that no answers will be found by simply yelling "Help!" **S**

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CHANGING THE CHANNEL

Except in the most extreme situations, the media avoids custody cases

The public is fascinated by what transpires inside a courtroom. People love to see the soap-opera battles in which couples struggle to win custody of their children.

The media has responded with an array of courtroom programs and movies such as "Divorce Court," and *Kramer vs Kramer*. Through these, society can form its own impressions of what custody battles are like.

But because of closed court records and court hearings, the media rarely, if ever, gets to cover a "real" custody case.

Rather than deal directly with the emotional trauma of the parents, the media tend to push aside such cases, unless there is something spectacular about them.

"These types of stories do not deal with the average person," says Jim Boylan, Ph. D, professor of journalism at the University of Massachusetts.

"The media tends to shy away from these types of issues unless there is a

newsworthy item in them," he says. Usually a custody case must involve sexual or physical abuse to be considered newsworthy.

Morgan v Foretich, the landmark case dealing with domestic disputes in sexual molestation, is the most publicized child custody case to date. It has

of Hilary, with Foretich getting two weekends a month visitation.

According to Morgan, when Hilary would return from these visits, she would display unusual behavior for a three year old child. She would describe and act out how her father sexually molested her. Both parents are now fighting for sole custody of the child, who is in hiding.

The media in this case, as in most reported custody battles, seem to focus on extraneous elements.

"Nobody who talks to us would know which one of us is lying," Morgan told a reporter. Nevertheless, there continues to be a flood of coverage on this case.

Meanwhile, Morgan, who is in jail on a contempt charge, has sold the rights to her story to a television network for \$250,000 to make a movie about her life.

"We as journalists have an obligation to consider our motives," says Ralph Izzard, Ph. D, director of the school of journalism at Ohio University.

"When a journalist gets involved in an issue such as this, he [must] cover it fully. It's obviously wrong to cover one side and drop it. That's not what journalism is all about."

run up over \$2.5 million in legal fees and produced over 4,000 pages of court transcripts. Eric Foretich was accused of sexually molesting his daughter, Hilary, who was born one week after Foretich and Elizabeth Morgan ended their short and rocky marriage.

Morgan was awarded sole custody

by Matt Malinowski

"Is the coverage for the public benefit? If so, then the subject matter must be handled with sensitivity," he says.

Although it seems that the media cover only custody cases involving newsworthy elements, *Spectrum's* case study is different.

Roy wrote a letter to the editor of the *Shamokin News-Item* and the *Sunbury Daily Item*, saying he felt "betrayed" after he lost custody of his 9-year-old daughter.

The *News-Item* published the letter, and the *Daily Item* used it as a base for

a story. The article in the *Daily Item*, by reporter Joe Sylvester, appeared twelve days before Roy's Nov. 2 custody hearing.

The story discussed how people tend to say irrelevant things in court. But, Sylvester quoted Roy claiming that he and his daughter were not given adequate opportunity to state their opinions during the master hearing.

The mother, the lawyers and the special master weren't interviewed for verification or response to the accusations.

Even Roy says there were inaccuracies in the story: his name was misspelled, his age was wrong, and his visitation rights were mixed up with the mother's. Moreover, there was no mention of sexual or physical abuse in the article.

"When a journalist gets involved in an issue such as this, he owes it to himself and to his readers to cover it fully," says Izard. "It is obviously wrong to cover one side and then drop it. That's not what journalism is all about."

Sylvester claims the story didn't have much to do with Roy himself, but rather used Roy's situation as an example to broaden the whole picture of child custody.

According to Sylvester, the *Daily Item* occasionally receives letters about

a particular issue or someone's particular case. Instead of focusing on the individual, it tries to expand the issue so the public can learn from it. This is typical of the reporting done on this type of issue at many newspapers. And Roy's case wasn't an exception.

"Our objective was not to show all aspects of his particular case, or whether one side was right or wrong," says Sylvester. "His case was used as an example to show his frustration with the court system.

"We received a letter from this indi-

vidual how I could have misspelled his name," he says.

There are more questions that need answering, though. Even if Sylvester claims this story was just used as an "example," journalistic ethics implies that verification is necessary.

According to the Society of Professional Journalists Code of Ethics, "the news media should not communicate unofficial charges affecting the moral character without giving the accused a chance to reply."

Sylvester claims he did try to make

contact with the mother, but was unsuccessful. Still, Sylvester believes the mother's comments weren't entirely necessary for the story he was doing.

"I could not reach the mother because she lived in Florida, and I don't recall if I tried to track her down," says Sylvester. "But as I said before, we weren't trying to show this entire case. We just used it as an example of what he [Roy] came across in court."

Sylvester did quote attorneys involved in other custody cases, but "did not recall" if he contacted James Rosini, Roy's attorney.

When it was all over, Sylvester believed this case dabbled into areas dangerous for the media, and cases of this nature must be approached with caution.

"It was one of those things we had to be careful with because if we printed everything he [Roy] told us about the

mother, she probably would have sued us for libel," says Sylvester.

While this is true, if the story had covered more than one side, it is possible that other issues would have surfaced.

"From my recollection, I think this case was just about a father who was frustrated with his wife trying to get custody of the kids," says Sylvester. "I don't think there was any type of abuse or anything like that." **S**

Betrayed

Shamokin: Recently I went before the Court of Common Pleas concerning custody of my nine-year-old daughter. She asked me if she could stay in our area with her sister and me for reasons that would be disclosed in court.

At the hearing, which I requested, when it came time for me to speak, it was cut short and the hearing was ended. Shocked that no one had talked to either of my daughters and I not being allowed to finish, a decision was made.

Concern for the mental health or for the safety of this child seemed of little or no concern. She was allowed to be taken out of state and, according to the recommendation, I would lose some of the rights I previously had.

I've lived in this area all my life and feel it is a good and safe place to raise children. I have

given much of myself to this area, but I feel betrayed.

My attorney did all that could have been done at the time and there has been an appeal. I believe before someone can make a recommendation all the information should be presented and taken into consideration.

What really bothers me is things turned out exactly the way many people, women and men, said they would. It almost made me feel guilty of trying to do what my daughter asked of me.

In the report, it sounded as if I committed a criminal act. The faith I had instilled in my nine-year-old about the court asking for the truth was shattered and daddy lied.

A prejudiced father
P.S.: Prejudice? A judgment or opinion formed before hand or without due examination.

Aug. 25, 1990, Shamokin, Pa. *News-Item*

vidual and his story, and rather than get involved in a dispute that was under litigation," he says, "we decided to run an overall story on what it's like for all people to see custody in court and what people can expect when they go to court."

However, Sylvester had little to say about the inaccuracies in the story. He claims he personally saw the copy of the letter Roy sent, and he even believes he had one of Roy's business cards.

"If I had his card, I have no idea

The Break-up of a Family

- July 2, 1971**—Angie meets Roy. Two weeks later, Angie moves into the trailer that Roy shares with a friend.
- October 1971**—Angie discovers that Roy is married to Mary and has two children.
- August 11, 1973**—Roy Jr. is born to Roy and Mary.
- Late July or early August 1975**—Roy leaves to help his daughter, Rhonda. Angie leaves the trailer to move in with her mother in New Hampshire. One and a half months later she discovers she is pregnant and begs Roy to take her back.
- Fall 1975**—Angie and Roy move into an apartment because of Angie's pregnancy.
- March 31, 1976**—Angie gives birth to her first child, Denise.
- February 1978**—Angie leaves Roy and takes Denise to live with her mother in New Hampshire.
- April 1978**—Angie returns to Pennsylvania with her sister and Denise to pick up the remainder of their belongings. She ends up returning to Roy. Upon returning, Angie starts House of Wicker home party plan.
- July 16, 1981**—Angie gives birth to her second daughter, Julie.
- May 1982**—Angie enrolls as a student at Bloomsburg University. She withdraws the beginning of her third semester.
- September 1, 1987**—Angie leaves Roy for final time. She files an intake form with the Bloomsburg Women's Center where she confers with attorney Peter Mackie.
- October 9, 1987**—Northumberland County Court awards physical custody of Julie to Angie, and Denise to Roy in an addition to the Protection from Abuse Order. Angie is still at the Women's Center. Since Mackie has full caseload, the Women's Center refers her to attorney Thomas E. Leipold.
- October 19, 1987**—Angie and Julie leave for New Hampshire. Denise stays in Pennsylvania with her father.
- October 21, 1987**—Angie and Julie stay with Angie's aunt in Chester, Vermont, while she looks for an apartment and a job in New Hampshire.
- December 4, 1987**—Angie and Julie move into an apartment in Claremont, New Hampshire. She starts work at a rehabilitation center.
- December 17, 1987**—Roy and Mary are divorced.
- February 1989**—Denise leaves suicide message on her mother's answering machine.
- April 1989**—Angie leaves rehabilitation center and starts work in a group home with mentally ill clients.
- June 1989**—Angie is engaged to Jim.
- July 1989**—Denise is allegedly molested by Roy's friend. (Children and Youth later labels this incident "Indicated.")
- January 1990**—Angie breaks engagement with Jim.
- May 4, 1990**—Angie and Julie arrive in Florida to live with Angie's mother.
- June 26, 1990**—Julie leaves to visit Roy. Angie

prepared by Judy Kosman and Jane Mehlbaum

expects her return on July 13. She does not return on schedule.

July 24, 1990—Roy files for custody of Julie.

August 3, 1990—Angie receives custody papers from Roy.

August 6, 1990—Angie returns to Pennsylvania to search for Julie. She discovers later that Julie was staying at Roy's stepbrother's house.

August 10, 1990—Angie files for custody of Denise.

August 16, 1990—Special master hearing presided by Harry Klein, who says Denise will stay with Roy and Julie with Angie.

August 27, 1990—Julie and Angie return to Florida.

October 11, 1990—Children and Youth notified of Denise's molestation by Roy's friend. Allegations determined indicated.

October 21, 1990—The *Sunbury Daily Item* runs an article regarding Roy's complaints about the special master hearing.

October 30, 1990—Family therapist Judy Wiley evaluates family.

November 2, 1990—Common Pleas Judge Lipsitt presides at custody hearing. Full custody of both girls awarded to Roy. Angie is to return Julie by Dec. 30. Liberal phone calls and visitations including a minimum of one month in the summer are awarded to Angie.

December 11, 1990—Angie notified that Children and Youth has filed a report of sexual molestation of Denise by Roy's stepfather years earlier. Children and Youth determines these allegations unfounded.

December 19, 1990—Angie files a notice of appeal with the Superior Court of Pennsylvania.

January 3, 1991—Angie submits request for investigation of Roy to Children and Youth for emotional abuse. Allegation determined unfounded.

January 25, 1991—Attorney Elizabeth Beroes receives Angie's case as a *pro bono* appointment from Susquehanna Legal Services.

January 30, 1991—Angie's contempt hearing for not returning Julie on time. In defense, she says Roy and his attorney, James Rosini, said Roy could not pick up Julie on time, so they agreed to push back the return date. Julie returns to Roy.

February 4, 1991—Telephone conference was held between Angie and Roy.

February 6, 1991—Angie files a motion for modification of Julie's custody.

February 28, 1991—Rosini asks court to deny Angie's modification hearing because she is also filing for an appeal. Angie drops her appeal.

April 2, 1991—Roy's contempt hearing for not abiding by a court order allowing Angie liberal phone calls. As a result, Angie can now only see Julie on Wednesdays between 4 and 8 p.m. and every other weekend. She is allowed two phone calls a day; Julie can call her anytime.

April 19, 1991—Roy files for support from Angie. He is awarded \$50 a week.

May 9, 1991—Judge Samuel Ranck presides at modification trial in which Angie gets one month more visitation.

Summer 1991—Angie wants Julie to visit her in Florida, in accordance with the dictates of the court order. Angie claims Julie couldn't come without Denise and Denise wouldn't come without a friend. No visitation occurs. **S**

B.U. Fraternities: At Work For You

Beta Sigma Delta ΒΣΔ

*Supporting the American Cancer Society
and the Leukemia Foundation*

Gamma Epsilon Omicron ΓΕΟ

Supporting the American Cancer Society

Phi Sigma Xi ΦΣΞ

*Supporting the Ronald McDonald House
and Big Brother-Little Brother*

Sigma Iota Omega ΣΙΩ

Supporting the Danny Appleton Medical Fund

Tau Kappa Epsilon ΤΚΕ

Supporting the Special Olympics

Theta Chi ΘΧ

*Supporting the American Red Cross
and Ronald McDonald House*

Pi Kappa Phi ΠΚΦ

Supporting P.U.S.H. and S.H.A.R.E.

Bloomsburg University Interfraternity Council

FACE

(continued from page 46)

Noon says custody and divorce cases are separate entities. Custody cases are geared to what is best for the child, while divorce cases are supposed to deal primarily with what is fair and equitable for both parties.

Gould also points out that many sexual and physical abuse allegations are simply untrue; they are tools used in court to keep fathers away from their children.

"We believe in good laws, we want good sexual abuse laws, good protection from abuse, but right now its a proven fact that they're being used as tools to keep dad away from the kids and out of the house," he says.

However, nearly one-third of all child abuse accusations are confirmed. According to the Pennsylvania Department of Public Welfare's office of Children Youth and Families, 24,357 reports of child abuse were received in 1990. Of that, 7,951 were substantiated.

According to Gould, most child abuse comes from new boyfriends that mothers become involved with after their divorce, and he admits to being harassed himself.

In one instance, Gould says a father called him in tears, saying his ex-wife's boyfriend called and told him, "Everytime I think of you I slap your son."

"What can you do," says Gould. "You can't arrest him because you can't prove it, yet these sort of things are happening."

A list of statistics gathered by the U.S. Department of Justice, the National Center for Child Abuse and Neglect, the U.S. Department of Education, and the National Center for Health Statistics was published in the November 1990 issue of *About FACE*—the organization's newsletter. These statistics suggested that many of the social problems and crises affecting young people today occur in homes with only a maternal parent.

For example, the study reveals 70 percent of all juvenile suicide attempts or deaths, 70 percent of teenage preg-

nancies, and 65 percent of high school dropouts are children from maternal homes. These statistics also suggest children involved in a joint custody arrangement adapt better socially and psychologically to divorce.

In an attempt to help fathers deal with these crises, as well as with the loss of seeing their child, FACE offers counseling, much of which comes from Gould. "I'm not a counselor, but I try awful hard," he says. The organization offers counseling through a life-enrichment program, and also utilizes the services of a professional counselor, whom Gould says offers a lot of input.

"We believe in good laws, we want good sexual abuse laws, good protection from abuse, but right now it's a proven fact that they're being used as tools to keep dad away from the kids and out of the house."

The group meets once a month, giving members the opportunity to learn of new developments, air any problems they may be dealing with, or possibly counsel a fellow member through a current crisis.

Although it is a membership group, FACE welcomes the public to their meetings, and invites people to comment on the group. According to Gould, a typical meeting can last up to four hours.

The first step when a father contacts the group is to calm him and focus on getting him visitation with his child. This is done by referring him to an attorney, although Gould admits FACE is selective when it comes to legal representation.

"We don't just deal with any at-

torney," he says, adding, "We get a lawyer that we feel will do a good job for the client and possibly take a down payment, as well as monthly payments."

Custody results have been favorable for the group's members. Recently, a member gained full custody and two others were awarded joint custody. The organization also has two more members involved in pending custody cases.

Gould claims that in one particular case the mother was married four times and had moved eight times, proving there was no stability for the child as long as he remained with the mother.

Gould says stability is an important factor in determining custody, and in many joint custody cases the father owned a house and provided a more secure environment for the child.

Along with providing legal advice, the group is also doing what it can to get better legislation passed in state government. Recently, FACE members sent a resolution bill to Harrisburg, attempting to get a task force to investigate the domestic relations system, which handles everything from custody to support.

"We don't really have a good judicial review board and I think we need this bill," says Gould. "It will show the injustices that are happening."

According to Gould, a major portion of the membership dues—which covers expenses such as stamps, stationary, and the newsletter—is going toward hiring a lobbyist to speak for FACE in Harrisburg. And, although Gould believes this is an important objective, he doesn't see this happening for quite some time.

The passing of better legislation is an important priority for the group, however, Gould and his members believe their main priority is to be there for a father in need.

"It's important for fathers to know they're going to have to join an organization to get what they want—access to their children," says Gould, noting, "You're not going to be able to do it on your own, you're only going to get frustrated."

—JANE MEHLBAUM

Back Of The Book

FACEing FACTS

*Local support group wants courts to remember,
“Daddies are parents, too”*

In the 1979 film, *Kramer vs. Kramer*, a father fought to keep custody of his young son.

Twelve years later, a father sits in an attorney's office, strategically planning a case to gain him joint custody of his child.

Although the two scenarios are alike, there is a difference. The latter is not the plot of a box-office smash; it's real life, and today, more and more fathers are able to gain joint custody—and many times full custody—through the help of an organization called FACE (Fathers' and Children's Equality).

Founded in 1978 in Philadelphia, the organization has branched into several chapters across the state, including a local chapter headed by Bob Gould, Hazleton. Gould serves as president of a chapter which includes Luzerne, Carbon, and Columbia counties.

In existence since April 1991, Gould believes his chapter has accomplished much for fathers in the area. “We're just establishing ourselves right now and it takes a long time just to get together,” says Gould, adding, “I feel great because I think we've done a lot in the past few months.”

FACE is a fathers' advocacy and

support group that deals with the issues of divorce, support, and custody, and how they affect fathers and their children. “We work together to try and make better laws, make the system a lot fairer than what it is, a lot more equitable toward fathers and their children,” says Gould, noting, “We feel there's a great bias in the family court system right now.”

Gould became affiliated with FACE through his own child custody battles. He now has shared custody of his five-year old daughter, whom he sees every weekend. He also admits he

will be spending time in court trying to gain an additional day with her.

“The perception of fathers is that they have no feelings,” says Gould. “Even judges don't lose that tender years doctrine, which went out many years ago.”

Gould believes fathers are being deprived their right to see their children, and that lawyers make deals with the fathers using the children as bait.

“I have a letter from an attorney to one of our members saying, ‘When you give mom everything she wants in property division, we'll start letting you see your child.’ This is signed by an attorney,” says Gould, adding, “They can't get out of it and say they don't make deals like that. They do make deals, and its absolutely crazy.”

David Noon, an attorney from Ashland, disagrees. “Any father accepting this kind of deal is not receiving effective representation from his attorney,” he says.

According to Noon, the issues of visitation and divorce are separate, and to mix them together would be inappropriate. “There is no court that will mix the two,” says Noon, pointing out, “They are not related.”



FACE's logo, which appears on the group's monthly newsletter, *About FACE*

(continued on page 45)

TOWN COUNCIL
OF

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- Bloomsburg Airport
- Historic District
- Bloomsburg University
- Bloomsburg School District
- Bloomsburg Town Park
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- Bloomsburg Fair
- Bloomsburg Theatre Ensemble
- Bloomsburg Daycare Center
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