

The Honorable Rob Hofmann sat at his desk waiting for his next case to walk in. The young couple walked in and sat down, but rather than seeming anxious, they appeared rather pleased. This worried him.

The couple presented Hofmann with their divorce papers claiming they agreed on everything.

As Hofmann read over the files, his suspicions were starting to become very accurate. As he was reading over the child custody section, he noticed that even though the mom and dad are getting what they want out of the situation, was the child's needs considered at all.

In order to appease the parents, Hofmann said, they settled to trade off the children every two days.

The problem with cases like these is the parents couldn't afford a lawyer and thought they could just settle this on their own.

Rob Hofmann, the Kimble County District Judge, hates situations like these because he can't give any legal advice. They're becoming so common they even have a name now: Pro se divorces.

"This has caused problems," Hofmann said, "because they don't consider what is best for the child or children."

With more and more divorces happening today, family law is becoming a more recognized practice, Hofmann said. Whereas, in the past this field of law was usually for lawyers who struggled.

Hofmann is also a member of the Texas Supreme Court Children's Commission. This was created 10 years ago so judges can help improve the child welfare system, Hofmann said.

Hofmann, being a judge and a part of the Child Welfare Board, works closely with people like Lisa Goehmann, the director of Bluebonnet CASA.

When a child enters the foster care system because his or her home is no longer safe, a judge may appoint a committed volunteer to help them. That volunteer is called a Court Appointed Special Advocate, or CASA.

"Sometimes there is no good answer and you have to make the best of the wrong answer," Hofmann said.

Hofmann said too many times both of the parents are deemed unfit, so Child Protective Services is called. That's when Goehmann and CASA steps in.

"The ultimate goal is to get the get parents stable enough to take their children back," Goehmann said.

CASA volunteers are screened and highly trained and then appointed by judges to represent and advocate for a child's best interests in the child protection system.

CASA volunteers are each assigned to help one child or set of siblings at a time, so they can focus on giving that child or sibling group the individualized advocacy and attention they need. CASA volunteers are frequently the only stable presence in these children's lives as they navigate the foster care system.

CASA volunteers serve as the "eyes and ears" for the judge in child welfare cases. This includes researching each child's situation and making objective recommendations to help them reclaim their childhoods from abuse and neglect.

These volunteers bring three critical qualities to their work: they focus on one case at a time; they bring a unique perspective to the court case; and their sole objective is representing the best interests of the child.

CASA volunteers save taxpayers money and children's futures by helping children find a safe, permanent homes as soon as possible.

"These children are sometimes labeled as different, so it's hard on them," Goehmann said, "Especially when no one else is trying to do what's best for them."

After dealing with these cases, Hofmann said he goes straight home and hugs his kids. He said kids are more prone to bounce back because they are resilient, and that's the hope we need to have.

Britni McMillan, mother of two, hugs her 10-year-old daughter Audey every chance she gets as well.

McMillan was 23 years old when she married her former spouse who was 28 at the time. It wasn't long after their relationship started going downhill McMillan said.

Shortly after marriage and having their baby girl, Audey, McMillan decided she wanted to start a business. It was then she started to witness his tendency to want to control her every move, she said.

Finally, one night in 2011, she took her daughter and left their home. At the time she said she hadn't thought about divorce, but her friends opened her eyes about the situation she was in.

"I let him tell me what I could or couldn't do," McMillan said.

Marriage counseling wasn't an option for him, McMillan said. So, they went to mediation. McMillan said the mediator had told him that he wouldn't win in a child custody case. Her former spouse agreed to a default custody order.

If the court thinks you do not wish to fight the case, it may enter an order of default or a default judgment against you. This gives the other side some or all of what they told the court they should get, according to the Family Law Self-Help Center's website.

Even though she got custody of Audey, she still let her former spouse have a few more perks than what the default custody order granted, McMillan said.

Now that both are re-married and live an hour apart, they have different issues to deal with. McMillan said they have different parenting styles. Due to a lack communication, she said, this gave their daughter the opportunity to abuse certain situations.

McMillan said her former husband was not sympathetic towards Audey and would let her eat whatever she wanted. Whereas, McMillan takes nutrition and exercise very seriously.

McMillan said she tried to discuss these decisions with her former husband, but he never implemented what they would agree on. McMillan said as Audey got older, she started to manipulate the system.

Casey Callahan, Region 15 Director of Education, said however the child handles the divorce is a reflection of how the parents are.

Her former spouse not respecting her was not good for Audey to witness and caused their daughter to have false hope, McMillan said.

Since majority of the time McMillan and Audey's father's relationship wasn't friendly, when he would say something

relatively nice, McMillan said, Audey would ask if they were getting back together.

Now, McMillan said she thinks about the problems likely to come up in the future. For instance; cell phones, cars, and college. It's hard financially, McMillan said. She said she hasn't made him pay child support previously.

McMillan said he has another child and isn't as financially stable as her and her current husband are.

What worries her she said is the arguments to come over the subjects.

"Parents fighting is what causes issues for the child," Callahan said, "not the child itself."

A lot of times when parents disagree they transfer their focus from the child's education to their personal problems, Callahan said. This affects the school system more than people realize, Callahan said.

Even when the divorce is amicable, Callahan said, it makes three parties against the school, instead of for the kid. What makes the parents happy isn't necessarily what is best for the child.

Even though the older they get the less it seems to affect them, Callahan said, it's especially difficult for students in small towns because it's inevitable that their parents will run into each other at school events and cause a scene.

Teachers are often put in difficult situations when it comes to child custody and divorces. Previously stated by Rob Hofmann, Kimble County District Judge, judges, such as himself, often interview educators over the child's school performances to make their decision.

"Usually you can tell which parent child has been with due to attitude they exhibit in the classroom," Callahan said.

There's a protocol for teachers who are called to court to testify in order to protect them, as well as the school. Callahan said that they are only advised to give provable facts about the child and aren't allowed to give their individual opinion on the situation.

When asked about children's condition after the fact, Callahan said there weren't many resources for them through the school. Particularly, when a child's parents get re-married, it tends to bring back the divorce.

Unfortunately, Callahan said school counseling isn't utilized because of funding issues and counselors prioritizing other activities.

Mark Sanders, a sophomore kinesiology major at Texas Tech, was only 3 years-old when his parents divorced.

His parents married young, which caused financial issues, Sanders said. Money seems to be an important factor in divorce, he said.

Religion was also a component in Sanders' parent's divorce. Sanders said his dad grew up an orthodox Christian and always expected his family to attend church.

His mom, on the other hand, worked nights and weekends at a hospital to make up financially, so she was usually too tired to go to church, Sanders said.

Sanders said his father was diagnosed with bi-polar disorder, which caused the fighting between his parents. His father's condition, Sanders said, affected his ability to assess situations properly.

Since his parent's divorce, Sanders said he still hasn't spoken to his father about the situation. There was a lot of fall out, Sanders said, but he believed that his father had suffered enough since his mother and sister still resent him.

Sanders said by watching his parents separate, he learned it's your choice to love something.

There's always something to take away, Sanders said. He said it's different for everyone.

Britni McMillan, mother of two, said she hopes her daughter does learn from her divorce. She wants her daughter, Audey, to take her time with relationships and get to know everything about them, McMillan said.

"A relationship takes effort and sacrifice," Sanders said. "To love something even when you don't feel like it."



