

MISSION IMPOSSIBLE

HOW TO NAVIGATE THE IMPOSSIBLE SITUATIONS IN OUR CASES



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SCENARIO #1 – EXCLUSIVE POSSESSION & THE DEPENDENT SPOUSE

- **SEPARATED – 3 KIDS (2, 6, & 13 YRS) – ALL STILL LIVE IN MARITAL RESIDENCE.**
- **WIFE NURSE – EARNS \$98,000 (GROSS).**
- **HUSBAND LAID OFF 6 MONTHS AGO – IT CONSULTANT; STILL UNEMPLOYED.**
- **HUSBAND DISCOVERED WIFE’S AFFAIR, & CONFLICT BETWEEN THE PARTIES HAS WORSENERD – OFTEN ARGUE IN FRONT OF THE CHILDREN.**
- **CONFLICT IS STARTING TO AFFECT THE CHILDREN, SO WIFE FILES FOR EXCLUSIVE POSSESSION.**
- **HUSBAND ARGUES THAT HE CANNOT AFFORD TO MOVE OUT, AND FURTHER REFUSES TO DO SO WITHOUT A 50/50 CUSTODY ORDER IN PLACE.**

SCENARIO #2 – ADDICTION ISSUES

- **PARTIES HAVE 2 CHILDREN – AGES 4 AND 11 – BOTH PARENTS WANT PRIMARY CUSTODY.**
- **PRIOR TO SEPARATION, BOTH PARTIES LEFT CHILDREN ALONE WITH OTHER PARENT.**
- **HUSBAND ACCOUNTANT – KNEE SURGERY 3 YRS AGO; PRESCRIBED OPIOIDS FOR PAIN; 7 MONTHS LATER, SOUGHT OUTPATIENT TREATMENT FOR ADDICTION; 1 MONTH PRIOR TO SEPARATION, WIFE FOUND PAIN PILLS IN HUSBAND’S DRAWER; SHORTLY AFTER, HUSBAND FIRED FROM HIS JOB FOR FALLING ASLEEP AT HIS DESK. HUSBAND DENIES USING OPIOIDS.**
- **HUSBAND ARGUES WIFE IS AN ALCOHOLIC – DUI 4 YRS AGO ON WAY HOME FROM OFFICE HOLIDAY PARTY; RECENTLY, INTOXICATED AFTER A NIGHT OUT WITH FRIENDS WHILE HUSBAND HOME WATCHING CHILDREN; WIFE TOOK UBER HOME AT 1 A.M. WIFE FELL ON THE WAY IN, CUT HER HAND, & NEEDED STITCHES.**
- **PARTIES ARE HEADING TO COURT SHORTLY ON CROSS CUSTODY COMPLAINTS...**

SCENARIO #3 – WHETHER TO VIOLATE A COURT ORDER IN ECONOMIC CASES?

- WIFE FILED PETITION TO FREEZE ALL MARITAL ACCOUNTS, PENDING ED OR AGREEMENT OF THE PARTIES.
- PARTIES HAVE AN ACCOUNT EARMARKED FOR DAUGHTER’S SWEET 16 EXPENSES.
- IN WEEKS LEADING UP TO SWEET 16 PARTY, ALL VENDORS ARE TO BE PAID.
- WIFE DOESN’T AGREE FOR THE FUNDS IN THE “SWEET 16” ACCOUNT TO BE USED TO PAY THESE EXPENSES.
- NO TIME TO FILE AN EMERGENCY (*WHO KNOW IF IT WOULD BE DEEMED ONE*).
- YOUR CLIENT (*HUSBAND*) REQUESTS A MEETING...

SCENARIO #4 – WHETHER TO VIOLATE A COURT ORDER IN CUSTODY CASES?

- CHILDREN COMPLAIN TO FATHER THAT MOTHER IS MISTREATING THEM & SHE IS MEAN.
- YOUNGER CHILD HAS BEEN SCRATCHING HERSELF, PULLING OUT HER HAIR, & NO LONGER WANTS TO GO TO SCHOOL DUE TO “NOT FEELING WELL”.
- ON 12/23/18, CHILD’S THERAPIST CONTACTS CYS DUE TO MOTHER’S BEHAVIOR HAVING A NEGATIVE IMPACT ON THE CHILDREN.
- CYS SPOKE WITH BOTH PARENTS AND DECIDED ON 12/24/18 NOT TO PURSUE THE MATTER. THERAPIST BELIEVES CYS IS WRONG & EXPRESSES THIS TO FATHER.
- COURTS ARE CLOSED 12/25/18. AS PER CUSTODY ORDER, MOTHER TO TAKE CUSTODY ON 12/25/18 & FOR THE REMAINDER OF WINTER BREAK, WHICH WILL INCLUDE VISITING HER FAMILY OUT OF STATE FOR 3 DAYS.
- FATHER CALLS TO ASK YOU (*HIS ATTORNEY*) WHETHER HE NEEDS TO RETURN THE CHILDREN TO MOM...

SCENARIO #5 – CALLING THE AUTHORITIES

- **PARENTS SEPARATED – FATHER VACATED MARITAL RESIDENCE.**
- **TWO CHILDREN – AGES 6 AND 8.**
- **FATHER DRIVES TO MARITAL RESIDENCE TO PICKUP CHILDREN – PER FATHER, MOTHER SLAMMED THE FRONT DOOR ON HIM.**
- **FATHER HAS A CUT ON HIS FOREHEAD & SCRATCHES FROM FALLING BACKWARD.**
- **ALTHOUGH MOTHER CHANGED THE CODE TO THE SURVEILLANCE SYSTEM, FATHER GUESSED IT & IS ABLE TO ACCESS VIDEO FOOTAGE OF THE INCIDENT.**
- **WITH THE CHILDREN IN THE CAR, OUTSIDE THE MARITAL RESIDENCE, FATHER CALLS YOU (*HIS ATTORNEY*) & WANTS TO CALL THE POLICE....**

CYS STATISTICS

- **44,359 REPORTS ARE MADE IN PA**
- **166,971 CHILD-LINE CALLS MADE IN PA**
- **FOR EVERY 1,000 REPORTS MADE...**
 - **.5 SUBSTANTIATED IN MONTGOMERY COUNTY**
 - **.6 SUBSTANTIATED IN ALLEGHENY COUNTY**
 - **1.6 SUBSTANTIATED IN CUMBERLAND COUNTY**

ANY QUESTIONS?