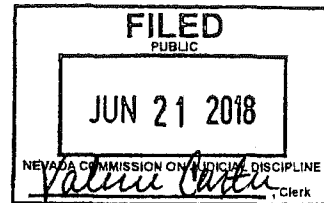


WILLIAM B. TERRY, CHARTERED  
530 South Seventh Street  
Las Vegas, Nevada 89101  
(702) 385-0799

1 WILLIAM B. TERRY, ESQ.  
Nevada State Bar No. 001028  
2 ALEXANDRA ATHMANN-MARCOUX, ESQ.  
Nevada State Bar No. 014474  
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5 (702) 385-9788 (Fax)  
Info@WilliamTerryLaw.com  
6 Attorney for Respondent



8 NEVADA COMMISSION ON JUDICIAL DISCIPLINE  
9 STATE OF NEVADA

10 In the Matter of  
11 THE HONORABLE RENA HUGHES,  
12 Eighth Judicial District Court, Family Division,  
13 Department J, County of Clark, State of Nevada,  
14 Respondent.

CASE NO. 2016-113-P

15 NOTICE OF APPEAL

16 NOTICE IS HEREBY GIVEN that the Honorable Rena Hughes, the Respondent, by and  
17 through her counsel, WILLIAM B. TERRY, ESQ. and ALEXANDRA ATHMANN-MARCOUX,  
18 ESQ., of the law offices of WILLIAM B. TERRY, CHARTERED, hereby appeals to the Supreme  
19 Court of Nevada the Findings of Facts, Conclusions of Law and Imposition of Discipline entered in  
20 this action on June 18, 2018, by the Nevada Commission on Judicial Discipline.

21 DATED this 21<sup>st</sup> day of June, 2018.

22 WILLIAM B. TERRY, CHARTERED


23  
24 *William B. Terry*  
25 WILLIAM B. TERRY, ESQ.  
Nevada Bar No. 001028  
26 ALEXANDRA ATHMANN-MARCOUX, ESQ.  
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27 WILLIAM B. TERRY, CHARTERED  
530 South Seventh Street  
Las Vegas, Nevada 89101  
28 (702) 385-0799  
Attorney for Respondent

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 21<sup>st</sup> day of June, 2018, I, as an employee of WILLIAM B.  
3 TERRY, CHARTERED, that a true and correct copy of this **NOTICE OF APPEAL** was emailed  
4 to the following:

5  
6 Paul C. Deyhle  
Executive Director  
Nevada Commission on Judicial Discipline  
7 pdeyhle@judicial.state.nv.us

8  
9 Thomas Bradley, Esq.  
Special Prosecutor  
10 Tom@TomBradleyLaw.com

11  
12   
13 As an employee of William B. Terry, Chartered

## Appendix 1: Diagnostic Checklist for Pathogenic Parenting

# Diagnostic Checklist for Pathogenic Parenting: Extended Version

C.A. Childress, Psy.D. (2015)

All three of the diagnostic indicators must be present (either 2a OR 2b) for a clinical diagnosis of attachment-based "parental alienation." Sub-threshold clinical presentations can be further evaluated using a "Response to Intervention" trial.

## 1. Attachment System Suppression

Present	Sub-Threshold	Absent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The child's symptoms evidence a selective and targeted suppression of the normal-range functioning of the child's attachment bonding motivations toward one parent, the targeted-rejected parent, in which the child seeks to entirely terminate a relationship with this parent (i.e., a child-initiated cutoff in the child's relationship with a normal-range and affectionally available parent).

### Secondary Criterion: Normal-Range Parenting:

yes	no
<input type="checkbox"/>	<input type="checkbox"/>

The parenting practices of the targeted-rejected parent are assessed to be broadly normal-range, with due consideration given to the wide spectrum of acceptable parenting that is typically displayed in normal-range families.

Normal-range parenting includes the legitimate exercise of parental prerogatives in establishing desired family values through parental expectations for desired child behavior and normal-range discipline practices.

## 2(a). Personality Disorder Traits

Present	Sub-Threshold	Absent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The child's symptoms evidence all five of the following narcissistic/(borderline) personality disorder features displayed toward the targeted-rejected parent.

### Sub-Criterion Met

yes	no
<input type="checkbox"/>	<input type="checkbox"/>

**Grandiosity:** The child displays a grandiose perception of occupying an inappropriately elevated status in the family hierarchy that is above the targeted-rejected parent from which the child feels empowered to sit in judgment of the targeted-rejected parent as both a parent and as a person.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

**Absence of Empathy:** The child displays a complete absence of empathy for the emotional pain being inflicted on the targeted-rejected parent by the child's hostility and rejection of this parent.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

**Entitlement:** The child displays an over-empowered sense of entitlement in which the child expects that his or her desires will be met by the targeted-rejected parent to the child's satisfaction, and if the rejected parent fails to meet the child's entitled expectations to the child's satisfaction then the child feels entitled to enact a retaliatory punishment on the rejected parent for the child's judgment of parental failures

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

**Haughty and Arrogant Attitude:** The child displays an attitude of haughty arrogance and contemptuous disdain for the targeted-rejected parent.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

**Splitting:** The child evidences polarized extremes of attitude toward the parents, in which the supposedly "favored" parent is idealized as the all-good and nurturing parent while the rejected parent is entirely devalued as the all-bad and entirely inadequate parent.



## 2(b). Phobic Anxiety Toward a Parent

Present      Sub-Threshold      Absent

☐☐☐

The child's symptoms evidence an extreme and excessive anxiety toward the targeted-rejected parent that meets the following DSM-5 diagnostic criteria for a specific phobia:

Criterion Met  
yes      no

☐☐

**Persistent Unwarranted Fear:** The child displays a persistent and unwarranted fear of the targeted-rejected parent that is cued either by the presence of the targeted parent or in anticipation of being in the presence of the targeted parent

☐☐

**Severe Anxiety Response:** The presence of the targeted-rejected parent almost invariably provokes an anxiety response which can reach the levels of a situationally provoked panic attack.

☐☐

**Avoidance of Parent:** The child seeks to avoid exposure to the targeted parent due to the situationally provoked anxiety or else endures the presence of the targeted parent with great distress.

## 3. Fixed False Belief

Present      Sub-Threshold      Absent

☐☐☐

The child's symptoms display an intransigently held, fixed and false belief regarding the fundamental parental inadequacy of the targeted-rejected parent in which the child characterizes a relationship with the targeted-rejected parent as being somehow emotionally or psychologically "abusive" of the child. While the child may not explicitly use the term "abusive," the implication of emotional or psychological abuse is contained within the child's belief system and is not warranted based on the assessed parenting practices of the targeted-rejected parent (which are assessed to be broadly normal-range).

## **DSM-5 Diagnosis**

If the three diagnostic indicators of attachment-based "parental alienation" are present in the child's symptom display (either 2a or 2b), the appropriate DSM-5 diagnosis is:

### DSM-5 Diagnosis

309.4 Adjustment Disorder with mixed disturbance of emotions and conduct

V61.20 Parent-Child Relational Problem

V61.29 Child Affected by Parental Relationship Distress

V995.51 Child Psychological Abuse, Confirmed (pathogenic parenting)

## Checklist of Associated Clinical Signs (ACS)

evident	not evident																									
<input type="checkbox"/>	<input type="checkbox"/>	ACS 1: Use of the Word "Forced"																								
<input type="checkbox"/>	<input type="checkbox"/>	ACS 2: Enhancing Child Empowerment to Reject the Other Parent																								
		<table border="0"> <tr> <td>evident</td> <td>not evident</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>"Child should decide on visitation"</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>"Listen to the child"</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Advocating for child testimony</td> </tr> </table>	evident	not evident		<input type="checkbox"/>	<input type="checkbox"/>	"Child should decide on visitation"	<input type="checkbox"/>	<input type="checkbox"/>	"Listen to the child"	<input type="checkbox"/>	<input type="checkbox"/>	Advocating for child testimony												
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<input type="checkbox"/>	<input type="checkbox"/>	ACS 4: Parental Replacement																								
<input type="checkbox"/>	<input type="checkbox"/>	ACS 5: The Unforgivable Event																								
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<input type="checkbox"/>	<input type="checkbox"/>	ACS 7: Themes for Rejection																								
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<input type="checkbox"/>	<input type="checkbox"/>	Non-forgivable grudge																								
<input type="checkbox"/>	<input type="checkbox"/>	ACS 8: Unwarranted Use of the Word "Abuse"																								
<input type="checkbox"/>	<input type="checkbox"/>	ACS 9: Excessive Texting, Phone Calls, and Emails																								
<input type="checkbox"/>	<input type="checkbox"/>	ACS 10: Role-Reversal Use of the Child ("It's not me, it's the child who...")																								
<input type="checkbox"/>	<input type="checkbox"/>	ACS 11: Targeted Parent "Deserves to be Rejected"																								
<input type="checkbox"/>	<input type="checkbox"/>	ACS 12: Allied Parent Disregards Court Orders and Court Authority																								
		<table border="0"> <tr> <td>evident</td> <td>not evident</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Child disregard of court orders for custody</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Child runaway behavior from the targeted parent</td> </tr> </table>	evident	not evident		<input type="checkbox"/>	<input type="checkbox"/>	Child disregard of court orders for custody	<input type="checkbox"/>	<input type="checkbox"/>	Child runaway behavior from the targeted parent															
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Appendix 2: Parenting Practices Rating Scale

# Parenting Practices Rating Scale

C.A Childress, Psy.D. (2016)

Name of Parent: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Rater: \_\_\_\_\_

Indicate all that apply.

Child Abuse Ratings: Do not indicate child abuse is present unless allegations have been confirmed. In cases of abuse allegations that have neither been confirmed nor disconfirmed, or that are unfounded, use Allegation subheading rating not Category rating.

## Level 1: Child Abuse

- ☐ 1. Sexual Abuse  
As defined by legal statute.  
☐ Allegation: Neither confirmed nor disconfirmed  
☐ Allegation: Unfounded
- ☐ 2. Physical Abuse  
Hitting the child with a closed fist; striking the child with an open hand or a closed fist around the head or shoulders; striking the child with sufficient force to leave bruises; striking the child with any instrument (weapon) such as kitchen utensils, paddles, straps, belts, or cords.  
☐ Allegation: Neither confirmed nor disconfirmed  
☐ Allegation: Unfounded
- ☐ 3. Emotional Abuse  
Frequent verbal degradation of the child as a person in a hostile and demeaning tone; frequent humiliation of the child.  
☐ Allegation: Neither confirmed nor disconfirmed  
☐ Allegation: Unfounded
- ☐ 4. Psychological Abuse  
Pathogenic parenting that creates significant psychological or developmental pathology in the child in order to meet the emotional and psychological needs of the parent, including a role-reversal use of the child as a regulatory object for the parent's emotional and psychological needs.  
☐ Allegation: Neither confirmed nor disconfirmed  
☐ Allegation: Unfounded
- ☐ 5. Neglect  
Failure to provide for the child's basic needs for food, shelter, safety, and general care.  
☐ Allegation: Neither confirmed nor disconfirmed  
☐ Allegation: Unfounded
- ☐ 6. Domestic Violence Exposure  
Repeated traumatic exposure of the child to one parent's violent physical assaults toward the other parent or to the repeated emotional degradation (emotional abuse) of the other parent.  
☐ Allegation: Neither confirmed nor disconfirmed  
☐ Allegation: Unfounded

## Level 2: Severely Problematic Parenting

- ☐ 7. Overly Strict Discipline  
Parental discipline practices that are excessively harsh and over-controlling, such as inflicting severe physical discomfort on the child through the use of stress postures, using shaming techniques, or confining the child in an enclosed area for excessively long periods (room time-outs are not overly strict discipline).
- ☐ 8. Overly Hostile Parenting  
Frequent displays (more days than not) of excessive parental anger (a 6 or above on a 10-point subjective scale).
- ☐ 9. Overly Disengaged Parenting  
Repeated failure to provide parental supervision and/or age-appropriate limits on the child's behavior and activities; parental major depression or substance abuse problems.
- ☐ 10. Overly Involved-Intrusive Parenting  
Enmeshed, over-intrusive, and/or over-anxious parenting that violates the psychological self-integrity of the child; role-reversal use of the child as a regulatory object for the parent's anxiety or narcissistic needs.
- ☐ 11. Family Context of High Inter-Spousal Conflict  
Repeated exposure of the child to high inter-spousal conflict that includes excessive displays of inter-spousal anger.

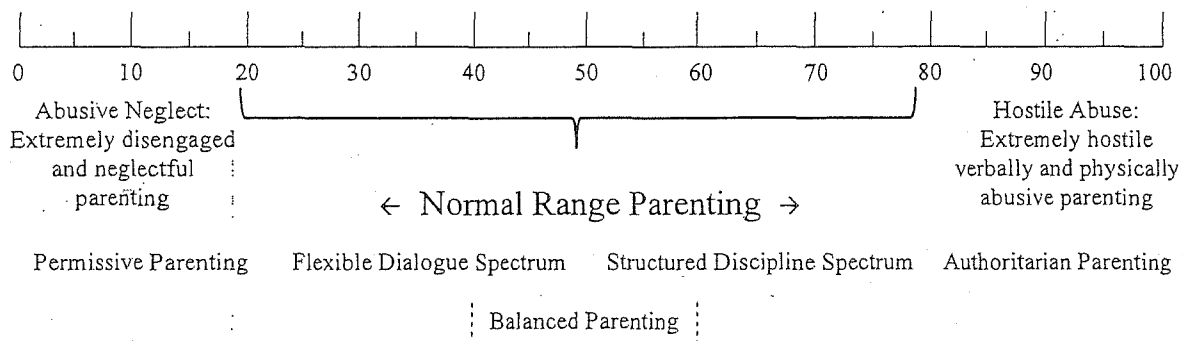
## Level 3: Problematic Parenting

- ☐ 12. Harsh Discipline  
Excessive use of strict discipline practices in the context of limited displays of parental affection; limited use of parental praise, encouragement, and expressions of appreciation.
- ☐ 13. High-Anger Parenting  
Chronic parental irritability and anger and minimal expressions of parental affection.
- ☐ 14. Uninvolved Parenting  
Disinterested lack of involvement with the child; emotionally disengaged parenting; parental depression.
- ☐ 15. Anxious or Over-Involved Parenting  
Intrusive parenting that does not respect interpersonal boundaries.
- ☐ 16. Family Context of Elevated Inter-Spousal Conflict  
Chronic child exposure to moderate-level inter-spousal conflict and anger or intermittent explosive episodes of highly angry inter-spousal conflict (intermittent spousal conflicts involving moderate anger that are successfully resolved are normal-range and are not elevated inter-spousal conflict).

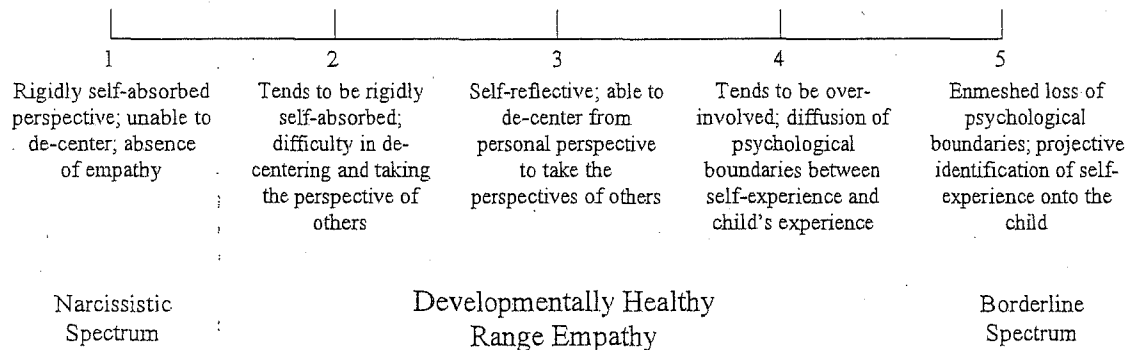
## Level 4: Positive Parenting

- ☐ 17. Affectionate Involvement – Structured Spectrum  
Parenting includes frequent displays of parental affection and *clearly structured* rules and expectations for the child's behavior. Appropriate discipline (loss of privileges or desired objects, or appropriate use of time-out) follows from clearly defined and appropriate rules.
- ☐ 18. Affectionate Involvement – Dialogue Spectrum  
Parenting includes frequent displays of parental affection and *flexibly negotiated* rules and expectations for the child's behavior. Parenting emphasizes dialogue, negotiation, and flexibility.
- ☐ 19. Affectionate Involvement – Balanced  
Parenting includes frequent displays of parental affection and parenting blends clearly defined and structured rules with flexible negotiation at times. Parenting effectively balances structured discipline with flexible parent-child dialogue.

Permissive to Authoritarian Dimension Rating: \_\_\_\_\_



Capacity for Authentic Empathy Rating: \_\_\_\_\_



### Parental Issues of Clinical Concern (CC)

- ☐ CC 1: Parental schizophrenia spectrum issues  
Stabilized on medication? ☐ Yes ☐ No ☐ Variable
- ☐ CC 2: Parental bipolar spectrum issues  
Stabilized on medication? ☐ Yes ☐ No ☐ Variable
- ☐ CC 3: Parental major depression spectrum issues (including suicidality)  
Stabilized by treatment? ☐ Yes ☐ No ☐ Variable
- ☐ CC 4: Parental substance abuse issues  
Treated and in remission (1 yr)? ☐ Yes ☐ No ☐ Variable
- ☐ CC 5: Parental narcissistic or borderline personality disorder traits  
In treatment? ☐ Yes ☐ No ☐ Variable
- ☐ CC 6: Parental history of trauma  
Treated or in treatment? ☐ Yes ☐ No ☐ Variable

Appendix 3: Examples of Potential Treatment-Focused Assessment Reports Available from  
a Treatment-Focused Clinical Assessment

## A Treatment-Focused Assessment Report Example for a Confirmed Diagnosis of Pathogenic Parenting

Date: <Date of Assessment>

Psychologist: <Psychologist's Name>

### Scope of Report

A Treatment-Focused Assessment was requested by the Court for the parent-child relationship of John Doe (DOB: 1/15/08) with his mother regarding their estranged and conflictual relationship. This treatment-focused assessment report is based on the following family interviews:

- <date>: Clinical interview with mother
- <date>: Clinical interview with father
- <date>: Clinical interview with child
- <date>: Clinical relationship assessment with mother and child
- <date>: Clinical interview with mother
- <date>: Clinical relationship assessment with mother and child
- <date>: Clinical interview with father

### Rating Scales Completed (attached)

Parenting Practices Rating Scale (mother)  
Diagnostic Checklist for Pathogenic Parenting

### Results of Assessment

Based on the clinical assessments, the child displays the three symptom indicators of pathogenic parenting associated with an attachment-based model of "parental alienation" (AB-PA; Childress, 2015):

- 1) **Attachment System Suppression:** A targeted and selective suppression of the child's attachment bonding motivations relative to his mother in the absence of sufficiently distorted parenting practices from the mother that would account for the suppression of the child's attachment system;
- 2) **Personality Disorder Traits:** A set of five specific narcissistic/borderline personality disorder features are present in the child's symptom display;
- 3) **Encapsulated Delusional Belief System:** The child evidences an intransigently held fixed and false belief that is maintained despite contrary evidence (i.e., an encapsulated delusion) regarding the child's supposed "victimization" by the normal-range parenting of the mother (i.e., an encapsulated persecutory delusion).

The presence of this specific symptom pattern in a child's symptom display is consistent with an attachment-based framework for conceptualizing "parental alienation" processes within the family that involve an induced suppression of the child's attachment



bonding motivations toward a normal-range and affectionally available parent (i.e., the targeted parent) as a result of the distorted parenting practices of a personality disordered parent (i.e., narcissistic/borderline features, which accounts for the presence of these features in the child's symptom display).

The mother's parenting practices on the Parenting Practices Rating Scale are assessed to be broadly normal-range. The mother's parenting would be classified as Level 4, Positive Parenting; Affectionate Involvement – Structured Spectrum. The mother establishes clearly defined rules and expectations for child behavior that are well within normal-range parenting, and the mother's delivery of consequences is fair and is based on these established rules and expectations for child behavior. The mother offers parental encouragement and affection, but these offers of parental affection are typically rejected by the child. The mother's rating on the Permissive to Authoritarian Dimension would be 60, which is well within normal-range parenting. She tends toward the use of clearly established rules and appropriate parental discipline for child non-compliance. The mother's capacity for authentic empathy is normal-range. She is able to self-reflect on her actions and also de-center from her own perspective to adopt the frame of reference of other people. She is not overly self-involved nor does she project her own emotional needs into and onto the child. There are no issues of clinical concern regarding the mother's parenting.

#### DSM-5 Diagnosis

The combined presence in the child's symptom display of significant attachment-related developmental pathology (diagnostic indicator 1), narcissistic personality disorder pathology (diagnostic indicator 2), and delusional-psychiatric pathology (diagnostic indicator 3) represents definitive diagnostic evidence of pathogenic parenting by an allied parent with prominent narcissistic and/or borderline personality traits, since no other pathology will account for this specific symptom pattern other than pathogenic parenting by an allied narcissistic/borderline personality parent. This set of severe child symptoms warrants the following DSM-5 diagnosis for the child:

309.4 Adjustment Disorder with mixed disturbance of emotions and conduct

V61.20 Parent-Child Relational Problem

V61.29 Child Affected by Parental Relationship Distress

V995.51 Child Psychological Abuse, Confirmed (pathogenic parenting)

#### Treatment Indications

A confirmed DSM-5 diagnosis of Child Psychological Abuse warrants the following child protection and treatment response:

- 1.) Protective Separation Period: A period of protective separation of the child from the psychologically abusive parenting practices of the allied parent is required in order to protect the child from ongoing exposure to psychologically abusive

parenting practices and allow for the treatment and recovery of the child's normal-range and healthy development. Attempting therapy without first establishing a period of protective separation from the pathogenic parenting practices of the father will continue the child's ongoing exposure to the psychologically abusive parenting of the father that is creating significant developmental pathology, personality disorder pathology, and delusional-psychiatric pathology in the child, and will lead to the child becoming a "psychological battleground" between the treatment goals of restoring the child's healthy and normal-range development and the continuing pathogenic goals of the father to create and maintain the child's pathology.

- 2.) Treatment: Appropriate parent-child psychotherapy should be initiated to recover and heal the damaged parent-child affectional bond with the mother and resolve the impact of the prior psychological abuse inflicted on the child by the father's distorted and psychologically abusive parenting practices in order to restore the child's healthy emotional and psychological development.
- 3.) Collateral Therapy: The father should be required to obtain collateral individual therapy with the treatment goal of fostering insight into the cause of the prior abusive parenting practices.
- 4.) End of Protective Separation: The protective separation period should be ended once the child's symptoms associated with the prior psychologically abusive parenting practices of the father are successfully resolved and the child's recovery is stabilized.
- 5.) Restoration of the Relationship with the Abusive Parent: The restoration of the child's relationship with the formerly abusive parent should include sufficient safeguards to ensure that the psychological abuse of the child does not resume once contact with the father is restored. The demonstrated cooperation of the father with his individual collateral therapy and his demonstrated insight into the cause of the prior psychological abuse of the child would represent important considerations in the level of safeguards needed to ensure the child's protection.
- 6.) Relapse: If the child's symptoms reoccur once the child's contact with the father is restored, then another period of protective separation will be needed in order to again recover the child's normal-range and healthy development, and additional protective safeguards will be warranted prior to once again exposing the child to the pathogenic parenting practices of the father.

#### Child Response to a Protective Separation

The child may initially respond to a protective separation from the currently allied parent (i.e., the father) with increased protest behavior and defiance. This child response represents an emotional-behavioral tantrum reflecting the child's currently over-empowered status relative to accepting authority (i.e. both parental authority and the authority of the Court). Responding to emotional displays of child tantrum behaviors with

... calm and steady purpose that restores the child to an appropriate social and family hierarchy of cooperation with Court and parental authority will be important to supporting successful family therapy and the resolution of the child's symptoms. Any concern regarding the child's expressed distress at the protective separation from the currently allied parent (i.e., the father) should recognize that the child is fully capable of ending the protective separation period by becoming non-symptomatic. If the child wishes a termination of the protective separation period, then the child simply needs to evidence normal-range affectional child behavior in response to the normal-range parenting practices of the mother, which is under the treatment-related monitoring of the family therapist.

#### Ending the Protective Separation Period

The protective separation period from the pathogenic and psychologically abusive parenting practices of the allied parent should be ended upon the successful treatment and resolution of the child's symptoms and restoration of the child's healthy and normal-range development. The treating family therapist should seek Court approval to end the child's protective separation from the pathogenic parenting practices of the currently allied parent (i.e., the father) based on the treatment-related gains achieved. Progress reports to the parents and to the Court from the treating family therapist should be provided at least every six months.

Sincerely,

<psychologist name>

Psychologist, <license number>

A Treatment-Focused Assessment Report Example for Sub-Threshold Symptoms for the  
Diagnosis of Pathogenic Parenting

Date: <Date>

Psychologist: <Psychologist's Name>

Scope of Report

A treatment-focused assessment was requested by the Court for the parent-child relationship of John Doe (DOB: 1/15/08) with his mother regarding their estranged and conflictual relationship. This treatment-focused assessment report is based on the following family interviews:

- <date>: Clinical interview with mother
- <date>: Clinical interview with father
- <date>: Clinical interview with child
- <date>: Clinical relationship assessment with mother and child
- <date>: Clinical interview with mother
- <date>: Clinical relationship assessment with mother and child
- <date>: Clinical interview with father

Rating Scales Completed (attached)

Parenting Practices Rating Scale (mother)  
Diagnostic Checklist for Pathogenic Parenting

Results of Assessment

Based on the clinical assessments, the child does not display the three symptom indicators of pathogenic parenting associated with an attachment-based model of "parental alienation" (AB-PA; Childress, 2015):

- 1) **Attachment System Suppression:** A targeted and selective suppression of the child's attachment bonding motivations relative to his mother in the absence of sufficiently distorted parenting practices from the mother that would account for the suppression of the child's attachment system;
- 2) **Personality Disorder Traits:** A set of five specific narcissistic/borderline personality disorder features are present in the child's symptom display;
- 3) **Encapsulated Delusional Belief System:** The child evidences an intransigently held fixed and false belief that is maintained despite contrary evidence (i.e., an encapsulated delusion) regarding the child's supposed "victimization" by the normal-range parenting of the mother (i.e., an encapsulated persecutory delusion).

The child's symptom presentation does not fully evidence an intransigently held fixed-and-false belief in the child's supposed "victimization" because the mother's parenting practices are sufficiently problematic to warrant concerns that the child's

perceptions of his mother have some component of accuracy. In addition, John expressed an openness to restoring a relationship with his mother if his potentially reality-based concerns can be adequately addressed.

However, John also evidenced a prominent suppression of normal-range attachment bonding motivation toward his mother and he displayed prominent signs of narcissistic personality disorder features in his attitude and responses to his mother. The symptom features in the family also evidenced several Associated Clinical Signs (see attached Diagnostic Checklist for Pathogenic Parenting), so that concerns regarding the potential pathogenic influence of the currently allied and supposedly "favored" parent (i.e., the father) continue.

#### Mother's Parenting Practices

The mother's parenting practices are assessed to be in the Level 3 domain on the Parenting Practices Rating Scale (Problematic Parenting), reflecting potentially harsh discipline (Item 12) and high-anger parenting (Item 13). These parenting practices, however, may also be a product of the child's provoking these parenting responses through a high level of child non-compliance and disrespect for parental authority. A Response-to-Intervention assessment would help clarify the causal direction for the parent-child conflict.

The child is also likely impacted by chronic exposure to high levels of inter-spousal conflict involving intermittent explosive anger from one spouse directed toward the other spouse (Item 16). While this inter-spousal anger is not directed toward the child, the extent of the high inter-spousal conflict likely creates considerable stress for the child and represents a degree of parental insensitivity for the child's emotional and psychological needs by at least one, and possibly both, parents. Restricting the expression of inter-spousal anger and developing cooperative co-parenting spousal skills of respecting boundaries and for mutual displays of kindness in respectful communication would be in the emotional and psychological best interests of the child.

The mother appears to employ a more disciplinarian approach to parenting involving structured rules and consequences, and her rating on the Permissive to Authoritarian Dimension would be in the 60 to 70 range, which is in the normal-range of parenting. A reduction in parent-child conflict might be achieved by helping the mother expand her parenting options by using increased dialogue and negotiation skills that would shift her rating on the Permissive to Authoritarian Dimension into the mid-range of 45 to 55. However, it should also be noted that the mother's current parenting practices are well within the normal-range for parenting generally, and considerable latitude should be granted to parents to establish rules and values within their families that are consistent with their cultural and personal value systems.

The mother's capacity for authentic empathy with the child appears to be in the normal range. She is able to self-reflect on her own behavior and she is also able to de-center from her own perspective to view situations from alternate points of view. The

mother does not appear to become overly self-involved in needing to have her perspective validated, nor does she appear to project her own needs onto the child.

There are no areas of clinical concern related to the mother's parenting.

### Treatment Indications

Based on the set of symptom features in child's symptom display and the assessment of the mother's current parenting practices, a Response-to-Intervention (RTI) treatment approach is recommended for a 6-month period to further assess the role of the mother's parenting practices relative to the potential role of pathogenic parental influence from the father in creating and supporting the child's symptomatic relationship with his mother.

#### 1.) Response to Intervention (RTI) Assessment

A 6-month period of family therapy is recommended that includes both mother-child therapy sessions to improve communication and conflict resolution skills as well as collateral sessions with the mother to expand and improve her parenting responses to John.

**Authentic Parent-Child Conflict-Resolution:** If the mother displays normal-range and appropriate parenting in response to treatment directives, then John's behavior toward his mother should show corresponding improvement (i.e., demonstrating that the child's behavior is under the "stimulus control" of the parent's behavior, meaning that the parent-child conflict is authentic to their relationship features). Changes to the mother's parenting practices will then lead to a resolution of the parent-child conflict.

**Authentic Parent-Child Conflict-No Resolution:** If the mother is unable to sufficiently alter her potentially harsh discipline and high-anger parenting behavior in response to treatment directives, then this would represent suggestive clinical evidence that the source of the mother-son conflict is potentially authentic to their relationship dynamics, and family therapy should continue to seek changes in the mother's parenting responses toward a more nurturing and affectionate parenting approach to help resolve the parent-child conflict.

**Inauthentic Parent-Child Conflict:** If, however, the mother displays normal-range and appropriate parenting in response to treatment directives, and John's symptoms continue despite changes in the mother's parenting practices, then this would represent confirming diagnostic evidence that John's behavior is not under the "stimulus control" of his mother's behavior and her responses to him, meaning that he is not responding to authentic difficulties in the mother-son relationship. The continuance of John's symptomatic behavior toward his mother despite changes in the mother's parenting practices would represent diagnostic evidence that John's symptomatic responses to his mother are likely being created by the pathogenic parenting practices of the father (through the formation of a cross-generational coalition of the child with his father against the mother). A Response-to-

Intervention treatment plan to address the pathogenic parenting of the father in creating the child's ongoing conflict with the mother should then be developed and implemented.

## 2.) Compliance with Court Orders for Custody and Visitation

All parties, including the child, should comply fully with all Court orders including those for custody and visitation. Failure by the currently allied and supposedly "favored" parent (i.e., the father) to comply with Court orders for custody and visitation should be viewed as non-compliance with treatment, and a follow-up treatment-focused assessment should be initiated (at the written recommendation of the treating family therapist) to determine whether a protective separation of the child from the potentially pathogenic parenting practices of the father is needed to allow for effective treatment.

Child noncompliance with Court orders for custody and visitation, such as refusing custody time-share visitations with the mother, should be ascribed as a serious failure in parenting by the currently allied and supposedly "favored" parent (i.e., the father) representing a parental failure to demonstrate appropriate parental responsibility.

- If the father is instructing the child to comply with the father's directive to cooperate with the mother's custody and visitation time and the child is refusing to comply with the father's directive, then the child is evidencing oppositional non-compliant behavior relative to the father's parental authority and the authority of the Court.
- As the allied and supposedly "favored" parent, the child's behavior is a reflection of the parenting received from the father, so that the child's oppositional non-compliance with the father's parental authority and the authority of the Court is a direct reflection on the father's parenting and his capacity for providing appropriate parental guidance to the child.

A failure to exercise effective parental responsibility and guidance by the allied and supposedly "favored" parent should be viewed as representing the father's non-compliance with the requirements of treatment by failing to exercise appropriate parental responsibility and child guidance as the "favored" and allied parent. The child's refusal to comply with Court orders, including all orders for custody and visitation, and the child's direct defiance of the father's parental authority should trigger a follow-up treatment-focused assessment (at the written recommendation of the treating family therapist) to determine whether a change in the responsible parent is needed to allow for effective treatment and the recovery of the child's normal-range and healthy development.

In any follow-up treatment-focused assessment, primary consideration should be afforded to the treatment needs of the child in establishing the treatment-related conditions necessary for effective treatment. The treatment-related needs of the child should be given precedence over parental considerations of being "favored" or "unfavored" by the child. If the allied and supposedly "favored" parent cannot establish the conditions necessary for the effective resolution of the child's symptoms, then a change in the

responsible parent may be necessary due to the then demonstrated parental failure of the allied and supposedly "favored" parent to enact the appropriate parental authority and guidance necessary for the child's successful treatment.

Progress reports to the parents and to the Court from the treating family therapist should be provided at least every six months.

Sincerely,

<psychologist name>  
Psychologist, <license number>



Strategic Family Therapy for a Cross-Generational Coalition  
C.A. Childress, Psy.D.

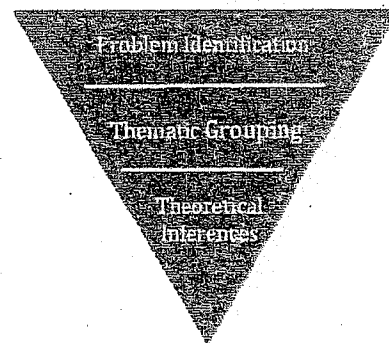
This is an example of a clinical case conceptualization, diagnosis, and Strategic family systems treatment plan for addressing a child's cross-generational coalition with one parent (the allied parent) against the other parent (the targeted parent).

Case conceptualizations are developed individually for each family based on the symptom indicators within the family.

**Case Conceptualization**

In clinical psychology, case conceptualization guides diagnosis; and diagnosis guides treatment. Organizing information into a case conceptualization, diagnosis, and treatment plan is accomplished through an inverted pyramid process involving three primary phases (Schwitzer & Rubin, 2015).<sup>1</sup>

- Problem Identification: This phase involves the collection of relevant data.
- Thematic Groupings: The clinical data is then organized into coherent themes.
- Theoretical Inferences: Established theoretical constructs and principles are then applied to the themes evidenced in the data to diagnose *why* the problems exist.



Based on the case conceptualization and diagnosis regarding the cause of the pathology, a treatment plan can then be developed to resolve the pathology being expressed within the family.

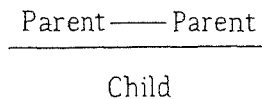
Cross-Generational Coalition:

The allied parent's pathogenic parenting practices have created a cross-generational coalition with the child against the other parent (the targeted parent), who is a normal-range and affectionally available parent. The function of a cross-generational coalition is to divert the allied parent's *spousal* anger toward the other spouse through the child by using the child's relationship with the other parent as a means to inflict conflict and suffering on the other parent. Through the cross-generational coalition, the child is induced into expressing hostility and/or rejection of the other parent for supposed parental inadequacies and failures (the child is judging the parent).

<sup>1</sup> Schwitzer, A.M. & Rubin, L.C. (2015). *Diagnosis & treatment planning skills: A popular culture casebook approach* (2<sup>nd</sup> ed.). Thousand Oak, CA: Sage.

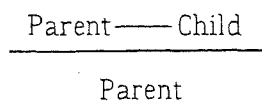
... The symptom of the child judging the adequacy of the parent is a characteristic symptom of the cross-generational coalition and is referred to as an "inverted hierarchy." In healthy family structures, the parents provide executive leadership. In healthy families, parents judge children's behavior to be appropriate or inappropriate, and parents deliver rewards and consequences based on these parental judgements of child behavior. In an inverted family hierarchy, however, children are empowered by the cross-generational coalition with the allied parent into an elevated position in the family hierarchy in which the child feels entitled to judge the adequacy of the other parent. Minuchin, diagrams this family structure pattern as:

#### Healthy Family Hierarchy:



**Healthy Family Hierarchy:** Parents are united in providing executive leadership for the family, with the child in an appropriate developmental role of cooperation.

#### Triangulation of the Child into Spousal Conflict: Inverted Family Hierarchy:



**Inverted Hierarchy:** The allied parent and child form a coalition against the other parent from which the child draws power to become inappropriately elevated in the family hierarchy to a position above the other parent, and from which the child feels entitled to judge the adequacy of the other parent.

The triangulation of the child into the spousal conflict through the formation of a *cross-generational coalition* with one parent against the other parent, and the resulting characteristic inverted parent-child hierarchy with the child sitting in judgement of the targeted parent is a standard and well-defined form of family pathology within family systems therapy.

The preeminent family systems therapist, Jay Haley, defines the cross-generational coalition:

"The people responding to each other in the triangle are not peers, but one of them is of a different generation from the other two... In the process of their interaction together, the person of one generation forms a coalition with the person of the other generation against his peer. By 'coalition' is meant a process of joint action which is *against* the third person... The coalition between the two persons is denied. That is, there is certain behavior which indicates a coalition which, when it is queried, will be denied as a coalition... In essence, the perverse triangle is one in which the separation of generations is breached in a covert way. When this occurs as a repetitive pattern, the system will be pathological." (Haley, 1977, p. 37)<sup>2</sup>

<sup>2</sup> Haley, J. (1977). Toward a theory of pathological systems. In P. Watzlawick & J. Weakland (Eds.), *The interactional view* (pp. 31-48). New York: Norton.

The cross-generational coalition is also described by the renowned family systems therapist, Salvador Minuchin:

"The boundary between the parental subsystem and the child becomes diffuse, and the boundary around the parents-child triad, which should be diffuse, becomes inappropriately rigid. This type of structure is called a rigid triangle... The rigid triangle can also take the form of a stable coalition. One of the parents joins the child in a rigidly bounded cross-generational coalition against the other parent." (Minuchin, 1974, p. 102)<sup>3</sup>

Minuchin also describes a clinical case example of the impact of a cross-generational coalition of the child with one parent against the other parent:

"The parents were divorced six months earlier and the father is now living alone... Two of the children who were very attached to their father, now refuse any contact with him. The younger children visit their father but express great unhappiness with the situation." (Minuchin, 1974, p. 101)

A cross-generational coalition is an insidious form of family pathology because the distorted and pathological parenting of the allied parent is hidden behind the child's apparent "bonding" to this parent. A cross-generational coalition ALWAYS superficially appears to be a highly bonded parent-child relationship, but actually represents the child being used (manipulated and exploited) by the allied parent to meet the parent's own emotional and psychological needs. Haley referred to the cross-generational coalition as a "perverse triangle" because it involves a violation of the child's psychological integrity by the allied (and supposedly "favored") parent.

In the *Journal of Emotional Abuse*, Kerig describes the psychological control and manipulation of the child:

"Rather than telling the child directly what to do or think, as does the behaviorally controlling parent, the psychologically controlling parent uses indirect hints and responds with guilt induction or withdrawal of love if the child refuses to comply. In short, an intrusive parent strives to manipulate the child's thoughts and feelings in such a way that the child's psyche will conform to the parent's wishes." (Kerig, 2005, p. 12)<sup>4</sup>

"In order to carve out an island of safety and responsivity in an unpredictable, harsh, and depriving parent-child relationship, children of highly maladaptive parents may become precocious caretakers who are adept at reading the cues and meeting the needs of those around them. The ensuing preoccupied attachment with the parent interferes with the child's development of important ego functions, such as self organization, affect regulation, and emotional object constancy." (Kerig, 2005, p. 14)

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<sup>3</sup> Minuchin, S. (1974). *Families and Family Therapy*. Harvard University Press.

<sup>4</sup> Kerig, P.K. (2005). Revisiting the construct of boundary dissolution: A multidimensional perspective. *Journal of Emotional Abuse*, 5, 5-42.

The parent's psychologically enmeshed relationship with the child invalidates the child's self-authenticity and replaces it with the parent's own needs and desires. The psychological effects of an "invalidating environment" on the child's self-authenticity are described by Fruzzetti, Shenk, and Hoffman (2005):<sup>5</sup>

"In extremely invalidating environments, parents or caregivers do not teach children to discriminate effectively between what they feel and what the caregivers feel, what the child wants and what the caregiver wants (or wants the child to want), what the child thinks and what the caregiver thinks." (p. 1021)

Creating an enmeshed cross-generational coalition (a "perverse triangle") with the child represents the parent's violation of the child's psychological integrity (a boundary violation), in which the child is being used (manipulated and exploited) by the parent as a "regulatory object" to meet the emotional and psychological needs of the parent. In the *Journal of Emotional Abuse*, Kerig links this breakdown of psychological boundaries between the parent and the child with the emotional abuse of the child:

"The breakdown of appropriate generational boundaries between parents and children significantly increases the risk for emotional abuse." (Kerig, 2005, p. 6)

Recognizing this form of hidden but severe psychopathology as a form of psychological child abuse that interferes with the child's healthy development can highlight the overriding importance of treating and resolving the pathology of the child's cross-generational coalition and enmeshment with the parent that is at the source of the child's induced conflict with the other parent, and may shift the professional mental health concerns from those of addressing child custody and visitation conflicts, to prominent child protection considerations.

#### Psychological Control of the Child:

Parental psychological control of the child is an established construct in professional psychology. In Brian Barber's (ed.) book, *Intrusive Parenting: How Psychological Control Affects Children and Adolescents*, published by the American Psychological Association, Barber and Harmon cite over 30 empirically validated scientific studies measuring the construct of parental psychological control with children and nearly 20 additional studies on constructs similar to psychological control (see Appendix 1). According to Barber and Harmon:

"Psychological control refers to parental behaviors that are intrusive and manipulative of children's thoughts, feelings, and attachment to parents. These behaviors appear to be associated with disturbances in the psychoemotional

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<sup>5</sup> Fruzzetti, A.E., Shenk, C. and Hoffman, P. (2005). Family interaction and the development of borderline personality disorder: A transactional model. *Development and Psychopathology*, 17, 1007-1030.

boundaries between the child and parent, and hence with the development of an independent sense of self and identity." (Barber & Harmon, 2002, p. 15)<sup>6</sup>

According to Stone, Bueler, and Barber:

"The central elements of psychological control are intrusion into the child's psychological world and self-definition and parental attempts to manipulate the child's thoughts and feelings through invoking guilt, shame, and anxiety. Psychological control is distinguished from behavioral control in that the parent attempts to control, through the use of criticism, dominance, and anxiety or guilt induction, the youth's thoughts and feelings rather than the youth's behavior." (Stone, Buehler, and Barber, 2002, p. 57)<sup>7</sup>

Soenens and Vansteenkiste (2010) describe the various methods used to achieve parental psychological control of the child:

"Psychological control can be expressed through a variety of parental tactics, including (a) guilt-induction, which refers to the use of guilt inducing strategies to pressure children to comply with a parental request; (b) contingent love or love withdrawal, where parents make their attention, interest, care, and love contingent upon the children's attainment of parental standards; (c) instilling anxiety, which refers to the induction of anxiety to make children comply with parental requests; and (d) invalidation of the child's perspective, which pertains to parental constraining of the child's spontaneous expression of thoughts and feelings." (Soenens & Vansteenkiste, 2010, p. 75)<sup>8</sup>

Research by Stone, Buehler, and Barber establishes the link between parental psychological control of children and marital conflict:

"This study was conducted using two different samples of youth. The first sample consisted of youth living in Knox County, Tennessee. The second sample consisted of youth living in Ogden, Utah." (Stone, Buehler, and Barber, 2002, p. 62)

"The analyses reveal that variability in psychological control used by parents is not random but it is linked to interparental conflict, particularly covert conflict. Higher levels of covert conflict in the marital relationship heighten the likelihood that

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<sup>6</sup> Barber, B. K. and Harmon, E. L. (2002). Violating the self: Parenting psychological control of children and adolescents. In B. K. Barber (Ed.), *Intrusive parenting* (pp. 15-52). Washington, DC: American Psychological Association.

<sup>7</sup> Stone, G., Buehler, C., & Barber, B. K.. (2002) Interparental conflict, parental psychological control, and youth problem behaviors. In B. K. Barber (Ed.), *Intrusive parenting: How psychological control affects children and adolescents*. Washington, DC: American Psychological Association.

<sup>8</sup> Soenens, B., & Vansteenkiste, M. (2010). A theoretical upgrade of the concept of parental psychological control: Proposing new insights on the basis of self-determination theory. *Developmental Review*, 30, 74-99.

parents would use psychological control with their children." (Stone, Buehler, and Barber, 2002, p. 86)

Stone, Buehler, and Barber provide an explanation for their finding that intrusive parental psychological control of children is related to high inter-spousal conflict:

"The concept of triangles "describes the way any three people relate to each other and involve others in emotional issues between them" (Bowen, 1989, p. 306). In the anxiety-filled environment of conflict, a third person is triangulated, either temporarily or permanently, to ease the anxious feelings of the conflicting partners. By default, that third person is exposed to an anxiety-provoking and disturbing atmosphere. For example, a child might become the scapegoat or focus of attention, thereby transferring the tension from the marital dyad to the parent-child dyad. Unresolved tension in the marital relationship might spill over to the parent-child relationship through parents' use of psychological control as a way of securing and maintaining a strong emotional alliance and level of support from the child. As a consequence, the triangulated youth might feel pressured or obliged to listen to or agree with one parents' complaints against the other. The resulting enmeshment and cross-generational coalition would exemplify parents' use of psychological control to coerce and maintain a parent-youth emotional alliance against the other parent (Haley, 1976; Minuchin, 1974)." (Stone, Buehler, and Barber, 2002, p. 86-87)

Barber and Harmon reference the established research regarding the damage that this violation of the child's psychological integrity has on the child:

"Numerous elements of the child's self-in-relation-to-parent have been discussed as being compromised by psychologically controlling behaviors such as...

Individuality (Goldin, 1969; Kurdek, et al., 1995; Litovsky & Dusek, 1985; Schaefer, 1965a, 1965b, Steinberg, Lamborn, Dornbusch, & Darling, 1992);

Individuation (Barber et al., 1994; Barber & Shagle, 1992; Costanzo & Woody, 1985; Goldin, 1969; Smetana, 1995; Steinberg & Silverberg, 1986; Wakschlag, Chase-Landsdale & Brooks-Gunn, 1996 1996);

Independence (Grotevant & Cooper, 1986; Hein & Lewko, 1994; Steinberg et al., 1994);

Degree of psychological distance between parents and children (Barber et al., 1994); and threatened attachment to parents (Barber, 1996; Becker, 1964)."

(Barber & Harmon, 2002, p. 25).

#### Standard Family Systems Intervention:

The standard family systems treatment for a cross-generational coalition of the child with one parent against the other parent is to bring this form of hidden pathology into the open and have the allied parent's subtle but pervasive influence on the child openly

acknowledged. The goal is to help the allied parent develop insight into the alliance, and then to activate this parent's empathy for the child's authentic experience of loving both parents. This leads to the parent's understanding for the damaging effects on the child from the child's triangulation into the spousal conflict with the goal of engaging the allied parent's cooperation in releasing the child from the cross-generational coalition.

However, many allied parents may resist acknowledging the coalition with the child. A component of Jay Haley's definition of the cross-generational coalition is that,

"The coalition between the two persons is denied. That is, there is certain behavior which indicates a coalition which, when it is queried, will be denied as a coalition."  
(Haley, 1977, p. 37)

This is especially true when the allied parent's own psychological self-interest is heavily invested in the child's *regulatory object* role in stabilizing the emotional and psychological state of the parent. A parent who has prominent abandonment fears or excessively vengeful hostility toward the other spouse/parent may be extracting their own psychological stability from the child's rejection of the other parent (e.g., "I'm not the abandoned spouse/parent; you are. See the child is rejecting you and choosing me." - "I'm not the flawed and inadequate spouse/parent; you are. The child is rejecting you because you're inadequate as a spouse/parent, and the child is choosing me because I'm a wonderful spouse/parent.")

If the allied parent has a heavy psychological investment in the child's symptomatic hostility and rejection of the targeted parent, then the allied parent will steadfastly deny the coalition and will continually place the child out front as supposedly making an "independent" decision. This is called a "role-reversal" relationship, where the child is used to meet the parent's needs.

- In healthy parent-child relationships the *child uses the parent* to meet the *child's* emotional and psychological needs.
- In a role-reversal parent-child relationship, the *parent uses the child* to meet the *parent's* emotional and psychological needs.

According to Kerig (2005):

"Examination of the theoretical and empirical literatures suggests that there are four distinguishable dimensions to the phenomenon of boundary dissolution: role reversal, intrusiveness, enmeshment, and spousification." (Kerig, 2005, p. 8)

When the allied parent resists developing insight and steadfastly denies the cross-generational coalition with the child despite the child's symptomatic behavior that is clearly evident of the coalition (Haley: "The coalition between the two persons is denied. That is, there is certain behavior which indicates a coalition which, when it is queried, will be denied as a coalition."), then an alternative treatment approach needs to be developed that will effectively release the child from being triangulated into the spousal conflict by the emotional and psychological needs of the allied parent.

### Strategic Family Systems Interventions:

One of the primary models of family systems therapy is Strategic family therapy (principle theorists: Haley; Madanes). From a Strategic family systems perspective, the symptom confers power. The goal of Strategic family therapy is to identify the power dynamic within the family that holds the symptom in place, and then to provide a prescriptive intervention that alter the way the symptom confers power within the family. Once the symptom no longer serves its role in conferring functional power within the family system, the symptom will drop away.

In a cross-generational coalition, the child's symptomatic hostility toward the targeted parent confers power to the allied parent:

- The ability for the allied parent to express spousal anger toward and enact retaliatory revenge on the other spouse following divorce by creating conflict and suffering in the other parent's household;
- The ability for the allied parent to prevent the child from developing a bonded relationship with the other parent and thereby allay the allied parent's abandonment fears following divorce;
- The ability for the allied parent to define a dichotomy of the supposedly "good parent" and "bad parent" (with the allied parent in the supposedly "good parent" role and the targeted parent in the inadequate parent (spouse) role) which restores the allied parent's damaged self-image following the divorce.
- The ability for the allied parent to nullify Court orders for custody and visitation and take sole possession of the child irrespective of the parental rights of the other parent and Court orders for shared custody and visitation by psychologically manipulating the child into appearing to "independently" refuse cooperation with the requirements of the Court order through processes of the allied parent's manipulative psychological control of the child (as described by Barber, et al).

The Strategic family systems prescriptive intervention must therefore alter this power dynamic conferred by the child's symptoms, so that instead of the child's (induced) symptoms conferring power to the allied parent, the child's symptoms must instead, through the intervention, confer power to the other parent, the targeted parent. There are two possible ways of approaching this:

#### 1. Transitional Systemic Intervention

This approach would involve a gradual application of a behavior change program that would alter the power conferred by child's symptoms. In this approach the custody of the child would be shared equally (50/50) between the mother's and father's household, but with a caveat:



In order to reverse the power dynamic conferred by child's symptoms, whenever the child expressed extensive symptomatic behavior (as defined within the behavior program intervention), the child's custody and visitation time with the allied parent would be reduced according to a pre-established set of rules. In this way, the child's symptomatic hostility and rejection toward the targeted parent (which is being covertly induced through the cross-generational coalition with the allied parent) would no longer confer power to the allied parent.

Instead, as a result of the prescriptive intervention of the structured behavior change program, the child's symptomatic behavior toward the targeted parent would now afford the targeted parent greater time with child, meaning that the child's symptomatic behavior would now be conferring power to the targeted parent.

Once the allied parent's time with the child is being reduced based on the child's symptomatic hostility toward the targeted parent (and the targeted parent is getting more time with the child, not less), then the allied parent will no longer be motivated to induce the child's hostility toward the targeted parent (i.e., the symptom is no longer enacting its function), and the child will be released from the coalition.

#### **Removing the Child from the Imposed Loyalty Conflict:**

From the child's perspective, this form of "Transitional" Strategic family systems intervention allows the child to exit the loyalty conflict created by the child's triangulation into the spousal conflict. With this "behavior program" approach of reducing the child's time with the allied parent when the child is more symptomatic toward the targeted parent, the child is placed in a position of being faithful to the allied parent (i.e., of seeking more time with the allied parent) by showing proper behavior toward the targeted parent (i.e., by bonding to the targeted parent). This is a win-win for the child. Being kind and cooperative with the beloved targeted parent is a way of *showing loyalty* to the *allied parent* because it will result in more time with the allied parent. No longer will the child be placed in a position of having to choose one parent at the expense of the other. Instead, the child is placed in a position of choosing both parents.

This transitional approach would require a prior definition of the specific program structure and the active direction of a Parenting Coordinator empowered to enact the rules and structure of the program.

#### **2. Probationary Transition Intervention**

In this approach, the custody of the child would be shared equally (50/50) between the mother's and father's household, and the child (i.e., the psychologically controlling allied parent) would be given a six-month probationary period (with a three-month benchmark assessment) requiring the child to alter his or her behavior and discontinue the symptomatic hostility and rejection of the targeted parent (as determined by daily ratings from the targeted parent, with fidelity monitoring from the coordinating family therapist). A coordinating family therapist would monitor

symptom ratings and help in conflict resolution and problem solving any parent-child relationship issues between the child and the targeted parent. As this probationary period progressed, expectations for the child's prosocial positive behavior with the targeted parent would be systematically increased, so that by the end of the six-month probationary period, the child's symptoms would be resolved.

If, however, at the end of the six-month probationary period (with a three-month benchmark assessment and guidance), the child has not successfully and cooperatively integrated into the targeted parent's family, then a complete change in custody to the targeted parent would be initiated and the allied parent would be placed on limited supervised visitation with the child in order to interrupt the allied parent's pathogenic parenting and allow the child the opportunity to successfully join and integrate into the targeted parent's family.

Since the allied parent would not want this change in custody to occur and would not want his or her parental visitation with the child to become monitored through supervision, this potential outcome would provide the motivational impetus for the allied parent to release the child from the obligation to be hostile, rude, and disrespectful toward the targeted parent in loyalty to the cross-generational coalition formed with the allied parent.

#### Clinical Concern:

It is possible that underlying psychodynamic issues for the allied parent, such as narcissistic or borderline personality disorder traits, will prevent this parent from ever releasing the child from the coalition under either Strategic family systems treatment option because the psychodynamic role the child plays as a "regulatory object" for the pathological parent may psychologically require that this parent continues to induce the child's rejection of affectional bonding to the other parent and integration into the other parent's family. If this more severe psychological pathology emerges in response to the Strategic family systems intervention, then a complete separation from the allied parent's pathogenic parenting may be necessary to resolve the cross-generational coalition pathology and the allied parent's manipulative exploitation of the child as a regulatory object for that parent's psychological needs.

Once the child's induced pathology has been successfully resolved, then the pathogenic parenting of the formerly allied parent can be reintroduced with appropriate therapeutic monitoring to ensure the child does not relapse with the introduction of the pathogenic parenting.

#### **Considering the Child's Wishes:**

##### Principle 1 - Cross-Generational Coalition:

When the child is being triangulated into the spousal conflict through the formation of a cross-generational coalition with one parent against the other parent, the child's expressed views are not authentic. It is a ventriloquist and a puppet. The pathology of the

cross-generational coalition must be addressed and resolved FIRST, before a child's expressed wishes should be considered.

According to Kerig in the Journal of Emotional Abuse:

"By binding the child in an overly close and dependent relationship, the enmeshed parent creates a psychological unhealthy childrearing environment that interferes with the child's development of an autonomous self." (Kerig, 2005, p. 10)

According to Barber and Harmon:

"The essential impact of psychological control of the child is to violate the self-system of the child." (Barber & Harmon: 2002, p. 24)

According to Stone, Buehler, and Barber:

"The central elements of psychological control are intrusion into the child's psychological world and self-definition and parental attempts to manipulate the child's thoughts and feelings through invoking guilt, shame, and anxiety." (Stone, Buehler, and Barber, 2002, p. 57)

#### Principle 2 - Inter-Spousal Conflict:

Children's desires regarding parental custody should never be considered as long as there is significant inter-spousal conflict.<sup>9</sup> When children's expressed wishes are considered in the midst of active inter-spousal conflict between the parents, there is an ***extremely high risk*** that such consideration of the child's wishes would lead to further triangulating the child into the spousal conflict by having the child choose one parent over the other parent.

Furthermore, placing the child in a decision-making position will then force each parent to *compete* to become the child's "favored" parent, undermining their ability to exercise legitimate parental authority. Asking a child to choose between parents will inappropriately place the child in a position to "choose" to love one parent more than the other. Children should never be put in a position of having to choose between parents.

#### Principle 3 - Self-Serving Allied Parents:

The self-serving needs of the allied (and supposedly "favored") parent in a cross-generational coalition with the child will cynically seek to have the child's (parentally influenced) choice considered. The pressure by this parent to have the child's expressed preference for parents, which is being manipulated by the psychologically controlling parenting practices of the allied parent, considered in decision-making regarding who is the "best" parent – regarding which parent "wins" the competition to be the child's "favored parent" – is due to the allied parent's own self-serving motivations, in which the

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<sup>9</sup> Child Abuse and Domestic Violence Exception: A documented history of child abuse or domestic violence takes precedence over all other considerations. Child protection is the overriding principle in decision-making regarding children.

child's supposedly "independent choice" is first manipulated and then exploited by the parent to meet the emotional and psychological needs of the allied parent.

The renowned family system therapist, Jay Haley, referred to the pathology of a cross-generational coalition as a "perverse triangle" because of the intergenerational violation of the child's psychological integrity, consistent with the description of psychological control by Barber and Harman that "the essential impact of psychological control of the child is to violate the self-system of the child." (Barber & Harmon: 2002, p. 24)

When the child has been induced into forming a cross-generational coalition with one parent against the other parent, the child's expressed wishes are not authentic. They are a reflection of the allied parent's emotional and psychological needs. Therefore, consideration of a child's wishes regarding custody surrounding high-conflict divorce will substantially increase the risk for the formation and expression of a cross-generational coalition (a "perverse triangle") within the family, in which the child's supposedly "independent" desires will first be manipulated and then be exploited by the allied parent in the cross-generational coalition.

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Appendix 1: Research Studies on Parental Psychological Control of the Child Identified by  
Barber & Harmon (2002)

From: Barber, B. K. (Ed.) (2002). *Intrusive parenting: How psychological control affects children and adolescents*. Washington, DC: American Psychological Association.

Table 2-1: Overview of Studies Measuring Psychological Control (p. 29-32)

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From: Barber, B. K. (Ed.) (2002). *Intrusive parenting: How psychological control affects children and adolescents*. Washington, DC: American Psychological Association.

Table 2-2: Overview of Studies Using Constructs Similar to Psychological Control (p. 29-32)

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# Diagnostic Checklist for Pathogenic Parenting

C.A. Childress, Psy.D. (2015)

## 1. Attachment System Suppression

Present	Sub-Threshold	Absent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The child's symptoms evidence a selective and targeted suppression of the normal-range functioning of the child's attachment bonding motivations toward one parent, the targeted-rejected parent, in which the child seeks to entirely terminate a relationship with this parent (i.e., a child-initiated cutoff in the child's relationship with a normal-range and affectionally available parent).

### Secondary Criterion: **Normal-Range Parenting:**

yes	no
<input type="checkbox"/>	<input type="checkbox"/>

The parenting practices of the targeted-rejected parent are assessed to be broadly normal-range, with due consideration given to the wide spectrum of acceptable parenting that is typically displayed in normal-range families.

Normal-range parenting includes the legitimate exercise of parental prerogatives in establishing desired family values through parental expectations for desired child behavior and normal-range discipline practices.

## 2(a). Personality Disorder Traits

Present	Sub-Threshold	Absent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The child's symptoms evidence all five of the following narcissistic/(borderline) personality disorder features displayed toward the targeted-rejected parent.

Sub-Criterion Met  
yes no

<input type="checkbox"/>	<input type="checkbox"/>
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**Grandiosity:** The child displays a grandiose perception of occupying an inappropriately elevated status in the family hierarchy that is above the targeted-rejected parent from which the child feels empowered to sit in judgment of the targeted-rejected parent as both a parent and as a person.

<input type="checkbox"/>	<input type="checkbox"/>
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**Absence of Empathy:** The child displays a complete absence of empathy for the emotional pain being inflicted on the targeted-rejected parent by the child's hostility and rejection of this parent.

<input type="checkbox"/>	<input type="checkbox"/>
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**Entitlement:** The child displays an over-empowered sense of entitlement in which the child expects that his or her desires will be met by the targeted-rejected parent to the child's satisfaction, and if the rejected parent fails to meet the child's entitled expectations to the child's satisfaction then the child feels entitled to enact a retaliatory punishment on the rejected parent for the child's judgment of parental failures

<input type="checkbox"/>	<input type="checkbox"/>
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**Haughty and Arrogant Attitude:** The child displays an attitude of haughty arrogance and contemptuous disdain for the targeted-rejected parent.

<input type="checkbox"/>	<input type="checkbox"/>
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**Splitting:** The child evidences polarized extremes of attitude toward the parents, in which the supposedly "favored" parent is idealized as the all-good and nurturing parent while the rejected parent is entirely devalued as the all-bad and entirely inadequate parent.

## 2(b). Phobic Anxiety Toward a Parent

Present      Sub-Threshold      Absent

☐☐☐

The child's symptoms evidence an extreme and excessive anxiety toward the targeted-rejected parent that meets the following DSM-5 diagnostic criteria for a specific phobia:

Criterion Met  
yes    no

☐☐

**Persistent Unwarranted Fear:** The child displays a persistent and unwarranted fear of the targeted-rejected parent that is cued either by the presence of the targeted parent or in anticipation of being in the presence of the targeted parent

☐☐

**Severe Anxiety Response:** The presence of the targeted-rejected parent almost invariably provokes an anxiety response which can reach the level of a situationally provoked panic attack.

☐☐

**Avoidance of Parent:** The child seeks to avoid exposure to the targeted parent due to the situationally provoked anxiety or else endures the presence of the targeted parent with great distress.

## 3. Fixed False Belief

Present      Sub-Threshold      Absent

☐☐☐

The child's symptoms display an intransigently held, fixed and false belief regarding the fundamental parental inadequacy of the targeted-rejected parent in which the child characterizes a relationship with the targeted-rejected parent as being somehow emotionally or psychologically "abusive" of the child.

While the child may not explicitly use the term "abusive," the implication of emotional or psychological abuse is contained within the child's belief system and is not warranted based on the assessed parenting practices of the targeted-rejected parent (which are assessed to be broadly normal-range).

## Associated Clinical Signs with the Allied and Supposedly Favored Parent

Present      Not Present      Not Known

☐☐☐

**Adopting the "Protective Parent" Role:**

The allied parent expresses unwarranted concern for the child's "safety" when the child is in the care of the targeted-rejected parent.

☐☐☐

**Empowering the Child's Active Agency in Rejecting the Other Parent:**

The allied parent seeks to empower the child's ability to reject the other parent (e.g., "You should listen to what the child wants" – "The child should be allowed to decide on visitation with the other parent" – seeks to have the child testify in court to reject the other parent).

## Top 15 Things Targeted Parents Need to Know About Attachment-Based Parental Alienation (AB-PA)

J. Hofer & C.A. Childress, 2016

1. The only thing Attachment-Based Parental Alienation (AB-PA) has in common with "Parental Alienation Syndrome" (PAS) are the words "Parental Alienation".
2. AB-PA answers the question "what is the scientifically based psychology behind parental alienation?"
3. AB-PA is not a theory; it is composed entirely of established and accepted peer-reviewed psychological literature. The application of standard and fully accepted psychological constructs and principles to a set of symptoms is called "diagnosis."
4. AB-PA does not describe a mental illness; it describes a specific set of symptoms in a child which will lead a psychologist to a clinical DSM-5 diagnosis of V995.51 Child Psychological Abuse, Confirmed.
5. AB-PA describes a form of *pathogenic parenting*, which is a clinical term for parenting behavior that is so aberrant and distorted that it creates psychopathology in a child.
6. AB-PA cannot be rejected by the mental health system because it is entirely drawn from their work.
7. AB-PA provides psychologists with a set of three clinical diagnostic indicators (symptoms) which must all be present in the child.
8. AB-PA is based entirely on the symptoms being displayed by the child; no other person needs to be clinically assessed for symptoms.
9. AB-PA shows how the three symptoms are each evidence of a different psychopathology being created in the child.
10. AB-PA describes how the combination of these three psychopathologies can only be created in a child through *pathogenic parenting*.
11. AB-PA can reliably and consistently make the distinction between 'oppositional defiant' children and 'alienated children.'
12. AB-PA can reliably and consistently make the distinction between authentic child abuse and false allegations of abuse made by a child who is being influenced by *pathogenic parenting*.
13. AB-PA cannot be misused by an abusive parent to trick the court system into giving them custody.
14. AB-PA can be used by your child's psychologist today. A confirmed DSM-5 diagnosis of V995.51 Child Psychological Abuse will activate the psychologist's 'duty to protect' and require them to report the abuse to child protective services.
15. AB-PA gives targeted parents the power to hold psychologists accountable for standards of professional competence in assessments, diagnosis, and treatment.

I recently completed a consultation report regarding materials provided for my review. The report ended with a description of the treatment-related factors that might be relevant given the family conflict issues evidenced in the materials I reviewed. As part of this report, I also provided an Executive Summary that briefly highlighted the issues described in the main body of the report.

The discussion of the treatment-related factors is based on established principles and models of psychotherapy, and this discussion may be of broader interest generally to targeted parents and other professionals.

I am therefore making this excised portion of my executive summary and consultation report available to help educate targeted parents, legal professionals, and mental health professionals regarding the type of treatment-related factors that may need to be considered in addressing an induced suppression of the child's attachment bonding motivations toward a normal-range and affectionally available parent that results from a cross-generational coalition of the child with a narcissistic-borderline parent against the other parent.

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#### Executive Summary: Treatment Factors

- Professional psychology contains no defined model for "reunification therapy." A form of psychotherapy called "reunification therapy" does not exist in professional psychology.
- A more applicable term referencing an existing form of psychotherapy is family systems therapy.
- A primary construct in family systems therapy is the child's *triangulation* into the spousal conflict. One prominent form of the child's triangulation into the spousal conflict is through the formation of a cross-generational coalition with one parent against the other parent.
- The pathology of a cross-generational coalition (called a "perverse triangle" by the preeminent family systems therapist, Jay Haley) is a covert and hidden form of family pathology ("there is certain behavior which indicates a coalition which, when it is queried, will be denied as a coalition" - Haley, 1977).
- The treatment for a cross-generational coalition is to expose the covert and hidden parent-child alliance into general awareness and seek the active cooperation of the allied parent in releasing the child from the coalition.
- If the allied parent does not acquire insight into his or her role in creating the cross-generation coalition with the child, alternative treatment plans will need to be developed that protect the child from becoming a "psychological battleground" between

the goals of therapy to restore a normal-range affectional parent-child relationship with the targeted parent, and the continuing goals of the allied pathogenic parent to maintain the child's symptomatic hostility and rejection of the targeted parent.

- Alternative treatment models may involve a period of Court-ordered protective separation of the child from the pathogenic parenting of the allied parent that is creating significant pathology in the child. This period of Court-ordered protective separation would allow therapy to restore and stabilize the child's normal-range affectional attachment bond to the targeted parent while protecting the child from becoming a "psychological battleground" as a result of the contrary psychological pressures imposed on the child by the manipulative pathogenic parenting of the allied narcissistic parent in the cross-generational coalition.
- An alternative treatment model may involve a Strategic family systems intervention that provides a prescriptive intervention that alters and disrupts how the child's symptom confers power within the family.
- Brief-intensive psychoeducational interventions exist that can restore the normal-range functioning of the child's attachment system within a matter of days. The child's recovery still needs to be stabilized with follow-up therapy through a period of protective separation from the pathogenic parent to prevent relapse.

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### Reunification Therapy

By way of clarification, the term "reunification therapy" is a lay term with no correspondence to any existing form of psychotherapy. Nowhere in any of the professional literature is there any description or model offered for what defines and entails a form of therapy called "reunification therapy." In professional clinical psychology, no such thing as "reunification therapy" exists. In all of the professional literature, there is no definition of what "reunification therapy" entails, and there is no mental health theorist who has ever described a model for "reunification therapy."

There are four principle schools of psychotherapy, 1) psychodynamic, 2) cognitive-behavioral, 3) humanistic-existential, and 4) family systems. Of these four established and defined forms of psychotherapy, family systems therapy is the most appropriate for addressing and resolving family relationship conflicts.

Within family systems therapy, there are two primary models, *Structural* family systems therapy (principle theorist: Salvador Minuchin), and *Strategic* family systems therapy (principle theorists: Jay Haley and Cloe Madanes). Additional family systems therapy models have also been defined by other family systems theorists.

Since "reunification therapy" is not a defined form of therapy in clinical psychology, Court orders for "family therapy" instead of "reunification therapy" would provide a more accurate directive.

## Family Therapy

One of the primary constructs in family systems therapy is the child's "*triangulation*" into the spousal conflict by one or both of the parents (turning the two-person spousal conflict into a three-person triangulated conflict). There are two forms of triangulation:

1. **Parental Alliance Against the Child.** In this form of triangulation, the parents join together in a coalition against the child (who becomes the "identified patient"). This form of triangulation typically occurs when the inter-spousal conflict threatens the marital unit with divorce. The spousal conflict that is threatening the marital unit with divorce is therefore "diverted" onto a focus on the child's behavior problems, thereby uniting the spousal couple in their shared concern over the child's behavior problem. In this form of triangulation, it is important to resolve the marital conflict as a means of resolving the child's presenting behavioral problems.
2. **Cross-Generational Coalition.** In this form of triangulation, one parent joins with the child in a cross-generational alliance against the other parent (called a "perverse triangle" by Haley). This form of triangulation typically occurs when one spouse cannot directly express anger at the other spouse, and so instead diverts the *spousal anger* through the child. In this type of triangulation, the child's behavior problems with the targeted parent represent the expression of the allied parent's *spousal* anger toward the other *spouse*, which is being redirected through the parent's alliance with the child.

The cross-generational coalition of one parent with the child against the other parent is a covert and hidden family pathology, and the parent-child alliance is denied by the child and allied parent. The typical presentation by the child and the allied parent (the supposedly "favored" parent) is that it is the problematic parenting of the targeted parent that is creating the child's behavior problems. Two prominent features of family relationships, however, can help identify the presence of a cross-generational coalition of a parent with the child against the other parent:

1. **Inverted Hierarchy:** An inverted parent-child hierarchy in which the child sits in judgement of the parent's adequacy as a person and parent reflects the child's over-empowerment in the family through the support the child is receiving from the allied and supposedly "favored" parent.
2. **Selective Parental Incompetence:** Since the child's behavior problems toward the targeted parent are pleasing to the allied parent, the allied and supposedly "favored" parent must covertly support the child's behavior toward the other parent while maintaining deniability regarding the cross-generational coalition. This deniable support is achieved through selective parental incompetence, in which the allied and supposedly "favored" parent claims that there is nothing he or she can do about the child's behavior problems with the other parent.

Oftentimes, this selective parental incompetence by the allied and supposedly "favored" parent is accompanied by displays of parental "understanding" and sympathetic nurturance for the child's supposed frustration and anger toward the other parent. Instead



of providing proper parental discipline and correction for the child's misbehavior with the other parent, the allied and supposedly "favored" parent takes the child's side and provides the child with nurture and comfort. In nurturing the child who is being oppositional and defiant of the other parent, the allied parent defines a polarity of the "good parent" and the "bad parent." As the "good parent" in this fabricated polarity, the allied and supposedly "favored" parent takes the child's side and justifies the child's anger and hostility toward the other parent as being legitimate (since the other parent is supposedly the "bad parent").

### Treatment Plans

Treatment for a cross-generational coalition first requires that the hidden and covert parent-child coalition be exposed and acknowledged. Therapy then relies on fostering the allied parent's insight and empathy for the child to allow this parent to voluntarily discontinue the parent-child alliance and free the child to have an independent relationship with the other parent. This is often accompanied by helping the formerly allied parent more directly express and resolve his or her *spousal* anger toward the other spouse, thereby relieving the need for this parent to divert his or her spousal anger through the child.

If the allied parent cannot develop insight into the cross-generational coalition and continues to deny its existence even though "there is certain behavior which indicates a coalition which, when it is queried, will be denied as a coalition" (Haley, 1977),<sup>1</sup> then an alternative treatment approach needs to be developed. The challenge is that while therapy is creating change in the child of restoring an affectionally bonded relationship with the targeted parent, the allied parent will be placing equal or greater psychological pressure on the child to maintain the child's symptomatic rejection of the targeted parent. This will essentially turn the child into a "*psychological battleground*" between the goals of therapy to restore a positive and affectionally bonded relationship with the formerly targeted-rejected parent, and the goals of the allied parent to maintain the child's symptomatic rejection of the targeted parent.

In order to psychologically protect the child during therapy when the allied parent will not release the child from the parent-child coalition, a Court order for a period of protective separation from the pathogenic parenting of the allied parent may be needed to allow family therapy to restore the child's normal-range and healthy affectionate bond to the targeted parent while preventing the allied pathogenic parent from applying equal or greater psychological pressure on the child to maintain the child's symptomatic state.

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<sup>1</sup> Haley, J. (1977). Toward a theory of pathological systems. In P. Watzlawick & J. Weakland (Eds.), *The interactional view* (pp. 31-48). New York: Norton.

From Haley: "The people responding to each other in the triangle are not peers, but one of them is of a different generation from the other two... In the process of their interaction together, the person of one generation forms a coalition with the person of the other generation against his peer. By 'coalition' is meant a process of joint action which is *against* the third person... The coalition between the two persons is denied. That is, there is certain behavior which indicates a coalition which, when it is queried, will be denied as a coalition... In essence, the perverse triangle is one in which the separation of generations is breached in a covert way. When this occurs as a repetitive pattern, the system will be pathological." (p. 37)

## Strategic Family Systems Therapy

An alternative treatment approach might be available through a Strategic family systems intervention. A basic construct of Strategic family systems therapy is that the symptom confers power. To eliminate the symptom, Strategic family systems therapy develops a prescriptive intervention which, when it is enacted, will alter how the child's symptom is conferring power within the family.

In a cross-generational coalition, the child's symptom confers power to the allied parent to inflict emotional suffering on the other parent (anger and revenge) and in some cases to nullify Court orders for shared joint custody ("What can I do? I can't force the child to go on visitations with the other parent."). A Strategic family systems intervention would present a prescriptive plan that interferes with how the child's hostility and rejection toward the targeted parent confers power to the allied and supposedly "favored" parent.

One approach might be to establish by Court order a plan whereby the child's custody time with the allied and supposedly "favored" parent is made contingent upon the child's cooperation and affectional bonding to the formerly targeted parent. Under such a plan, the child's hostility and non-cooperation with the targeted-rejected parent would confer more custody time to the targeted-rejected parent in order to "work on their relationship problems." In order for the child to earn time with the formerly allied and supposedly "favored" parent, the child would have to display cooperative and pleasant behavior with the formerly targeted-rejected parent. In applying this prescriptive intervention, the child's symptom would no longer confer power to the allied parent (the ability to nullify Court orders for shared custody) but would now confer power (i.e., more custody time) to the targeted parent. Once the child's symptom no longer confers power within the dysfunctional family pathology, it will drop away.

In such a Strategic family systems intervention, the child would be removed from the loyalty conflict created by the triangulation. Instead, the child's bonding to the targeted parent would become an expression of loyalty to the allied parent by increasing the child's custody time with the allied parent. The child could be "loyal" to the allied parent by bonding with the other parent.

If, even through the Strategic family systems intervention, the allied parent continues to maintain the cross-generational coalition with the child and continues to require that the child maintain his or her hostility and rejection toward the other parent out of "loyalty" to the allied parent, then prominent professional concerns emerge regarding the profound failure of parental empathy and the level of parental pathology being expressed by the allied parent which then warrant *child protection* considerations.

### Child Protection

Pathogenic parenting that is creating significant developmental pathology, personality pathology, and psychiatric pathology in the child in order to meet the emotional and psychological needs of the allied parent may rise to the level of child psychological abuse (i.e., a DSM-5 diagnosis of V995.51). Whenever pathogenic parenting is creating significant pathology in the child as a means to meet the emotional and

psychological needs of the parent, professional considerations change from those of child custody and visitation to prominent child protection concerns.

The appropriate response to all forms of child abuse, physical child abuse, sexual child abuse, and psychological child abuse, is to protectively separate the child from abusive parent, treat the consequences of the abuse, and then restore the child's relationship with the formerly abusive parent under proper therapeutic guidance and monitoring. During the period of protective separation, the standard treatment approach is to require that the abusive parent seek collateral therapy to gain and demonstrate insight into the causes of the prior abuse, so as to reassure the treatment team that the abuse will not continue when the child's relationship with the abusive parent is restored.

This is the standard mental health response to all forms of abusive parenting; physically abusive parenting, sexually abusive parenting, and psychologically abusive parenting. Pathogenic parenting that is creating significant psychopathology in the child in order to meet the parent's emotional and psychological needs shifts the professional considerations from those of child custody and visitation to those of child protection.

### **Progressive Approach to Intervention**

A progressive stepwise approach to intervention with a cross-generational coalition might involve the following stages:

#### **Stage 1: Eliciting Insight & Cooperation:**

The hidden and covert cross-generational coalition is exposed and discussed in therapy with the allied parent, whose insight and cooperation is sought in voluntarily releasing the child from the cross-generational coalition against the other parent.

If the allied parent fails to demonstrate insight and fails to release the child from the cross-generational coalition to allow therapy to restore the child's normal-range affectional bond to the other parent, then intervention proceeds to Stage 2.

#### **Stage 2: Strategic Family Systems Intervention:**

With the support of Court orders, a Strategic family systems intervention is implemented in which the child's custody time with the formerly allied and supposedly "favored" parent is made contingent upon the child's behavior toward the formerly targeted parent. The implementation of the Strategic family systems intervention would be supervised by a expert mental health professional who would provide timely treatment progress reports to the Court.

If the allied parent continues to require the child's "loyalty" to the cross-generational coalition and does not release the child from the cross-generational coalition to allow therapy to restore the child's normal-range affectional bond to the other parent, then intervention proceeds to Stage 3.

### Stage 3: Protective Separation & Treatment:

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A period of Court-ordered protective separation of the child from the *pathogenic parenting* of the allied parent is initiated to:

1. Allow therapy to restore the child's normal-range and affectionally bonded relationship with the formerly targeted parent;
2. Protect the child from becoming a "psychological battleground" between the goals of psychotherapy to restore an affectional parent-child bond with the formerly targeted parent, and the goals of the allied parent in the cross-generational coalition to maintain the child's symptomatic hostility and rejection of the formerly targeted parent.

### Stage 4: Reunification with the Pathogenic Parent

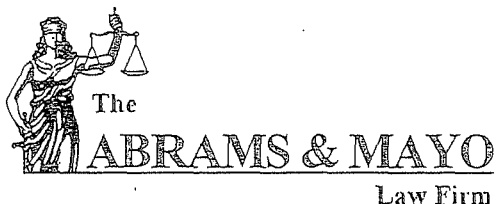
Once the child's symptoms have been resolved and the recovery of the child's normal-range and healthy functioning has been achieved and stabilized, the pathogenic parenting of the formerly allied parent is reintroduced under therapeutic monitoring to ensure that the child does not relapse upon re-exposure to the pathogenic parenting of the formerly allied parent.

During the period of Court-ordered protective separation, the allied parent in the cross-generational coalition is required to obtain collateral therapy with the goal of helping this parent develop insight into their prior role in establishing and maintaining the cross-generational coalition with the child, and insight into the destructiveness of this coalition to the child's healthy emotional and psychological development.

### Brief-Intensive Interventions

Brief-intensive psychoeducational parent-child interventions are available that can quickly and gently restore the child's normal-range attachment bonding motivations within a matter of days (such as the *High Road to Family Reunification* protocol of Pruter). These psychoeducational workshop interventions involve presenting a sequenced set of videos depicting family stories, much as one might see on Saturday morning family television, along with structured family communication and problem-solving activities that will effectively restore the normal-range functioning of the child's attachment system which has been distorted by the pathogenic parenting of an allied narcissistic parent. These brief-intensive interventions typically require a period of Court-ordered protective separation from the pathogenic parenting of the allied parent and follow-up therapeutic stabilization of the child's recovery in order to prevent relapse due to the child's premature re-exposure to the pathogenic parenting of the allied parent.

Craig Childress, Psy.D.  
Clinical Psychologist, PSY 18857



\*\* Jennifer V. Abrams, Esq.  
† Vincent Mayo, Esq.  
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Tuesday, February 20, 2018

Nevada Commission on Judicial Discipline  
P.O. Box 48  
Carson City, Nevada 89072

Re: *The Honorable Rena Hughes*

Dear Commission Members,

I am an attorney licensed to practice law in Louisiana, California, and Nevada, have been practicing law for nearly 20 years, and am both a Certified Family Law Specialist and a Fellow of the American Academy of Matrimonial Lawyers.

I have appeared before all of the Family Court judges in Clark County, Nevada, during my two decades of practice, almost exclusively in that field. When I first appeared before the Honorable Rena Hughes, I was utterly delighted at her level of preparation, her command of the facts, her knowledge of the law, and the efficient, calm, and caring manner in which she handled cases. I thought it was too good to be true and perhaps temporary, as she was new to the bench. But that was not the case -- in the ensuing years I have appeared before her, she has ALWAYS been prepared, courteous and fair. She has not always ruled in my clients' favor, of course, but my clients have *consistently* expressed respect for the manner in which she handled their cases and equally consistently have expressed to me their appreciation for her efficiency and result-oriented approach to resolving the disputes presented to her.

That brings us to the matter at hand. I watched the videos several times and I familiarized myself to some extent with the facts of the case. It is my honest belief that Judge Hughes handled the situation appropriately. She was calm but tough and she was result-oriented in making sure the child at issue understood that following her mother's improper alienating behaviors would not be tolerated. Even with the benefit of hind-sight, I cannot conceive of any way other than what was done, that *could* have been done for the ultimate salvation of a child who otherwise would have been left permanently alienated and emotionally crippled.

† Board Certified Family Law Specialist

\* Fellow of the American Academy of Matrimonial Lawyers; Admitted in Nevada, California, and Louisiana

‡ Admitted in Nevada and Washington

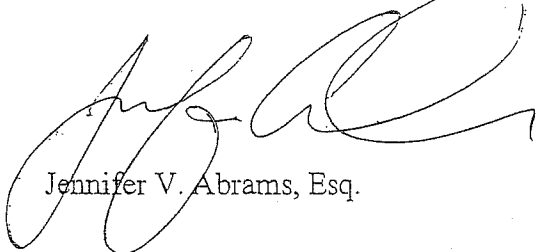
I have represented fathers in very similar situations over the years and have litigated one case in particular for years in an effort to preserve the father-daughter relationship. In that case, the mother's behaviors were much like the behaviors of Welthy Silva. I repeatedly requested that the judge in that case step up and do what Judge Hughes did here – give my client uninterrupted custodial time with his daughter and make sure the child understood that her coached histrionics would not be tolerated. Unfortunately, the judge in that case was not result-oriented, continued to hold one hearing after another without actual enforcement of orders, and did *not* preserve the father-daughter relationship, to the ultimate harm of everyone involved. That client completely lost all contact and communication with his only child.

It is my strong belief and opinion that if this case had been portrayed the way it *should* have been portrayed - that Judges are no longer tolerating destructive behaviors by a crazy parent trying to alienate the kid(s) from the other parent - Judge Hughes would be celebrated as a hero. Instead, Ms. Silva colluded with a corrupt organization - Veterans In Politics International, and its leader Steve Sanson – to improperly use the hearing video to intimidate Judge Hughes and alter the outcome of a pending case by extra-judicial means. There has already been a finding by at least one Family Court Judge to this effect. See the Honorable Bryce Duckworth's Order of Recusal, attached hereto. By use of such corrupt tactics, Ms. Silva was able to achieve the same result in her case, a recusal by Judge Hughes.

Judge Rena Hughes is one of the finest jurists we have in Family Court. It is a tragedy that she is being scrutinized in these proceedings when the focus should instead be on the corrupt individuals with whom Welthy Silva conspired to improperly influence the court by extra-judicial means. I ask this Commission to look at the job that had to be done for the ultimate welfare of the child concerned, and see that Judge Hughes did what was *necessary* for that child to have an emotionally healthy life. We need more of such dedication, and courage, not less. Please do not do anything that would cause other judges to be less likely to take dramatic action where necessary to save a child.

Sincerely,

THE ABRAMS & MAYO LAW FIRM



Jennifer V. Abrams, Esq.

**MARK DICIERO**

10710 West Tropicana Avenue #156-411 • Las Vegas, NV 89147  
702.743.3338 • mark.diciero@gmail.com

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February 18, 2018

Mr. Gary Vasue, Chair  
Mr. Karl Armstrong, Esq.  
Ms. Stefanie Humphrey  
Honorable Jerome Polaha

Mr. Paul C. Deyhle  
Mr. Bruce C. Hahn, Esq.  
Ms. Mary-Sarah Kinner  
Honorable Leon Aberasturi

*Participating Members of the Commission*

State of Nevada Commission on Judicial Discipline  
P.O. Box 48  
Carson City, Nevada 89702

*RE: In the Matter of the Honorable Rena G. Hughes (Case 2016-113-P)  
Scheduled for Public Hearing on May 29, 2018 at 8:00 a.m.*

Dear Commission Members:

This letter is being submitted in support of the Honorable Rena G. Hughes, Eighth Judicial District Court Judge, Family Division, Department J, Clark County, Nevada; one of the **finest** judges presently serving families in Southern Nevada.

I should probably disclose that I have been a litigant in Clark County Family Court since 2005. My case is not in front of Judge Hughes, nor has it ever been assigned to her department. I do not know Judge Hughes. I am writing as a concerned member of our community, who has seen this excellent jurist unfairly attacked, and relentlessly "smeared" over the past two years.

Family Court Judges have enormously difficult jobs. It's also a thankless job. Judges are dealing with litigants during the most difficult and emotionally draining times of their lives. The issues are deeply personal, conflict is typically high, and in many cases, the future of precious children hangs in the balance. Exuding compassion and respect from the Bench – while remaining fair, firm, and direct – is an absolute must. Judge Hughes brings all of these qualities to the Bench, and does so with impressive regularity.

### Questions of Demeanor and Temperament

I first became aware of the Silva v. Silva case when a purported judicial "watchdog" organization (that in reality, is entrenched in corruption all over Southern Nevada), began posting hand-picked hearing videos online. I noticed that the group was only telling one side of the story, so I began wondering why. This group (to which Ms. Silva is a member) began creating a disturbing and misleading narrative questioning the temperament and demeanor of Judge Hughes. It quickly became clear that this group's mission was to destroy and completely ruin the reputation of Judge Hughes.

Wanting to learn more about the Silva case (and several others that Ms. Silva's group was using to target Judge Hughes), I began doing my own online research. I reviewed dozens of hearings, downloaded copies of pleadings and orders in these cases, and even made several trips to Clark County Family Court to watch Judge Hughes in action. What I was seeing *first-hand*, was not a Judge plagued with a poor temperament or gruff demeanor, but rather a Judge who was thoughtful, empathetic, and extremely patient (especially with pro se litigants).

Can Judge Hughes be harsh? You bet she can. Are there times when she needs to be? Absolutely. Does Judge Hughes have an expectation that her orders will be followed? She does, and as a litigant, I very much appreciate that. There is nothing more frustrating than having carefully thought out orders in place that later get ignored. Judge Hughes understands that and has an expectation of compliance. When that expectation is not met, she demands accountability and enforces her orders, which is exactly what she was elected to do.

### Silva v. Silva: A Case of Extreme Pathogenic Parenting

With regard to the Silva matter presently before you, there is a "pink elephant" in the room that needs to be addressed. No one really wants to talk about it, including the Las Vegas media outlets that have been covering this case from a one-sided perspective. What *exactly* led up to the parties' minor child being brought into Judge Hughes' courtroom in the first place? What really happened? I know you have those answers, but I would ask that you consider a few things when making an ultimate disciplinary decision in this matter, because there seems to be an expectation that certain facts should simply be ignored.



As the commission will likely recall, Ms. Silva took it upon **herself** to withhold and alienate the parties' daughter from Mr. Silva, deciding that she would no longer abide by the parties' governing custodial orders. Ms. Silva did so without a basis. Her reasoning to the Court was that the child simply no longer wanted to go with her father during his custodial periods. Ms. Silva's position was that a nine-year-old child should be allowed to "call the shots" and that it wasn't Ms. Silva's job to encourage or foster her child's relationship with Mr. Silva.

When Mr. Silva had no choice but to ask the Court to intervene, Ms. Silva then decided to levy allegations of abuse. When asked to produce an offer of proof (police report, protective order, statements from doctors, counselors, or family members), Ms. Silva could not do so. Ms. Silva then alleged that the child was afraid to ride in Mr. Silva's car because of his history of reckless driving. When Judge Hughes asked about his driving history, Mr. Silva pointed to a driving record showing not one single moving violation in thirteen years.

### **Years of Non-Compliance**

Over the course of two-to-three years, Judge Hughes gave Ms. Silva chance-after-chance to comply with her Court Orders. Her expectations were clear, Ms. Silva was to stop withholding the child from Mr. Silva and she was to foster and encourage therapeutic reunification. More specifically:

- In late 2015, Judge Hughes ordered reunification therapy with Ms. Keisha Weiford, LMFT. Ms. Silva would drive the child to the appointments, but wouldn't make her get out of the car for therapy when the child refused.
- Ms. Weiford then recommended a detailed "step-up" reunification plan that Judge Hughes adopted in full. Again, Ms. Silva would drive the child to exchanges, but wouldn't have her get out of the vehicle for visitations with her father.
- Judge Hughes then ordered exchanges to take place at Donna's House (the Court's on-site supervision center). Ms. Silva would take the child but wouldn't leave, allowing the child to throw a tantrum (knowing that Donna's House wouldn't enforce the scheduled visitation).

- Judge Hughes then ordered a psychological evaluation and a custody evaluation with Ms. Claudia Schwarz, LMFT. Ms. Silva didn't comply.
- On May 12, 2016, Judge Hughes (who was running out of options and resources) told Ms. Silva that if her non-compliance continued, the child would be coming to Court for a custodial exchange to Mr. Silva for the entire summer. Ms. Silva's response in open court was, "Awesome, I'm good with that. Can she speak with you? Because I would like for her to get to speak with you." [JAVS-05.12.16-10:42:20]
- To the dismay of everyone else involved, Ms. Silva got her wish and was ordered to bring the parties' daughter to court on June 15, 2016.

### **The Outcome Nobody Wanted**

I think we can all agree, that no one wants to see a child brought into court for a custodial exchange that a parent simply refuses to facilitate: **No one**. Children don't belong in the courthouse, and Family Court Judges have an underlying expectation that parents will act with adult levels of responsibility to ensure that such a need will never arise.

On June 15, 2016, twelve-year-old Annie Silva was brought into the courtroom of Judge Hughes after two years of Ms. Silva's non-compliance with Court Orders, unlawful withholding of the child, and blatant refusals to reunify. As difficult as it is to say (but it desperately needs to be said), what we see on the court video is a child that has been coached, manipulated, and programmed by her mother for years. Ms. Silva's mindset is that her daughter's father is inconsequential. Dad is insignificant. He doesn't matter. Mr. Silva's role in Annie's life is not one of value, and is not worthy of mom's respect.

We also see a temper tantrum of epic proportions; a tantrum that was orchestrated well in advance by Ms. Silva. We also see tears from this child that were miraculously shut off the second Judge Hughes' Court Marshal offered her tissues. While the entire display is disturbing, it is a textbook example of extreme pathogenic parenting and inexcusable parental alienation on full display.

Nevada Commission on Judicial Discipline  
February 18, 2017  
Page 5:

I wholeheartedly commend Judge Hughes for taking a stand on these issues. She has said "*no more*" to an epidemic that has become far too common in high conflict custodial litigation, and other jurists across the country have taken notice. Experts on the topic are in agreement, extreme pathogenic parenting is a form of ***emotional child abuse***, and must be dealt with in the same fashion that courts address physical and sexual abuse.

### **In Closing**

There is much to learn from the Silva case, and I have no doubt that Judge Hughes has reflected, second-guessed, and contemplated how she could have handled matters differently. However, as you deliberate a potential disciplinary action, please consider the points outlined herein. Judge Rena Hughes is an outstanding judge and has become a tremendous asset to the Eighth Judicial District Court elected judiciary.

Please also consider that Judge Hughes has been attacked ***incessantly*** by a group of disgruntled litigants (spearheaded by Ms. Silva) since this case first began receiving media attention. Her physical appearance has been ridiculed, her own personal divorce action has been called into question, it has even been publicized that because Judge Hughes is not a mother herself, she has no business making decisions involving children. Enough is enough.

As a litigant who has been in-and-out of Clark County Family Court for over a decade, I appreciate the job that our judges do for our families. Over the years, some issues have gone my way, others have not, but I have never once doubted that these folks aren't looking out for my daughter's best interests. Judge Hughes was clearly doing the same for Annie Silva.

I very much appreciate you taking the time to review this letter, and I look forward to attending the public hearing in this matter scheduled for May 29, 2018.

Very truly yours,



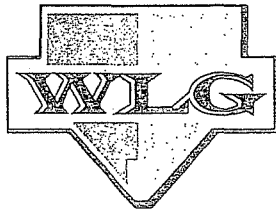
Mark DiCiero

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BY THE NATIONAL BOARD OF TRIAL ADVOCACY



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February 16, 2018

William B. Terry, Esq.  
530 South Seventh Street  
Las Vegas, NV 89101

Re: The Hon. Rena Hughes

Dear Mr. Terry:

I have appeared before Judge Hughes in a number of highly contentious cases, and have never found her to be anything other than what a district court judge should be – courteous, respectful, patient, informed, considered, and fair.

While the Commission must examine the allegations on their merits, it should review the very extensive history of the case at issue and the extraordinary patience with which Judge Hughes attempted to resolve the serious ongoing emotional abuse by alienation of the subject child by the mother prior to the date of the hearing at issue. It was necessary, ultimately, for extraordinary measures to be taken, and Judge Hughes should be applauded, not pilloried, for doing so.

The Commission also should not be blind to the motivations behind the current proceedings. I am familiar with the immediate issue, which has been stoked by members of a scurrilous organization. The Hon. Bryce Duckworth has already found those complaining in this matter to be utterly corrupt.<sup>1</sup>

[N]otwithstanding his self-proclaimed faux cover of seeking to “expose injustice and corruption,” Mr. Sanson’s sole motivation for communicating with this Court was to intimidate and harass the Court. Mr. Sanson proudly proclaims that he has “declared war” on the Family Court. There is no doubt that the courts are under attack and that the entire judiciary of this great State of Nevada is on notice that, behind that false banner of “justice

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<sup>1</sup> Order of Recusal filed September 5, 2017, in *Ansell v. Ansell*, No. D-15-521960-D.

William B. Terry, Esq.  
February 16, 2018  
Page 2

and corruption" is an individual and group who seek to manipulate, intimidate and control. The arsenal of weapons that Mr. Sanson utilizes include attempts to manipulate, intimidate and control the judicial process through off-the-record communications. This case has exposed the reality of his tactics.

....

What should be frightening to this Court (and members of the Nevada judiciary in general) is that Mr. Sanson refused to acknowledge at the August 30, 2017 hearing that his communication with the Court about a pending case was inappropriate. Specifically, Mr. Sanson, through his counsel, suggested it was the Court's fault based on the earlier conversation cited above. This Court reiterates that it is inappropriate to communicate with a judicial officer off the record about a pending case - *at any time and under any circumstances*. Mr. Sanson's attempts to deflect blame to the Court are appalling.

....

Is there anything more corrupt than the influence Mr. Sanson sought to exert over the Court? And he proclaims that he seeks to expose corruption? Because this Court called him out on the inappropriateness of his communication and refused to kowtow and cower to his manipulation and control, Mr. Sanson predictably let the Court know that his wrath was coming out against the Court. This type of threat to any judicial officer strikes at the very core of the integrity of the judicial process. Moreover, such threatening behavior is an attempt to manipulate and control judicial officers if they do not succumb to Mr. Sanson's desired result.

That is *exactly* what is behind the current allegations against Judge Hughes. Sanson and his organization have publicly proclaimed their intent to "get rid" of judges that they are unable to otherwise influence, and the Judicial Discipline Commission should not permit itself to be mis-used as part of their corrupt efforts.

I would be happy to provide whatever other and additional information might be useful to the Commission as part of its investigation and deliberations. Thank you.

Sincerely yours,  
WILLICK LAW GROUP



Marshal S. Willick, Esq.

FILED

JUN 18 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY CHIEF DEPUTY CLERK

IN THE SUPREME COURT OF THE STATE OF NEVADA

In the Matter of )  
THE HONORABLE RENA G. HUGHES, )  
Eighth Judicial District Court, Family Division, )  
Department J, County of Clark, State of Nevada, )  
Respondent. )

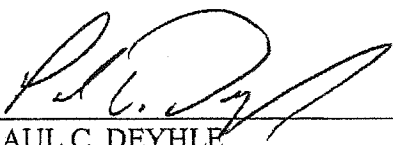
CASE NO. 76117

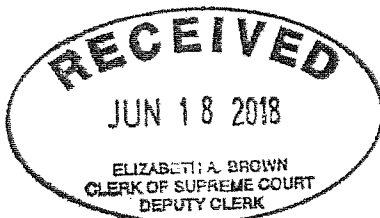
**CERTIFIED COPY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND  
IMPOSITION OF DISCIPLINE**

Pursuant to Commission Procedural Rule 28(2), I hereby certify that the document attached hereto is a true and correct copy of the FINDINGS OF FACT, CONCLUSIONS OF LAW AND IMPOSITION OF DISCIPLINE filed with the Nevada Commission on Judicial Discipline on June 18, 2018.

DATED this 18<sup>th</sup> day of June, 2018.

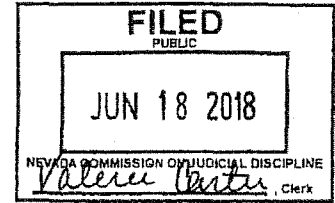
NEVADA COMMISSION  
ON JUDICIAL DISCIPLINE  
P.O. Box 48  
Carson City, NV 89702  
(775) 687-4017

By:   
PAUL C. DEYHLE  
General Counsel and Executive Director  
Nevada Bar No. 6954



1                                **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

2                                **STATE OF NEVADA**



4 In the Matter of                                )  
5 THE HONORABLE RENA G. HUGHES,                                )  
6 Eighth Judicial District Court, Family Division,                                )  
7 Department J, County of Clark, State of Nevada,                                )  
8 Respondent.                                )

CASE NO. 2016-113-P

9                                **FINDINGS OF FACT, CONCLUSIONS OF LAW AND IMPOSITION OF DISCIPLINE**

10                                Pursuant to prior written notice, the above-entitled matter came on for a formal, one-day public  
11 hearing in Reno, Nevada pursuant to NRS 1.4673 and Commission Procedural Rule 18, commencing  
12 on May 30, 2018, before the Nevada Commission on Judicial Discipline ("Commission"), regarding the  
13 allegations against the Honorable Rena G. Hughes ("Respondent") for violations of the Revised  
14 Nevada Code of Judicial Conduct (the "Code").

15                                Thomas C. Bradley, Esq. served as the Prosecuting Officer to the Commission ("Prosecuting  
16 Officer") and was present. Respondent was present and represented by William B. Terry, Esq. During  
17 the hearing, the Commission considered all evidence and testimony presented.

18                                The Commission makes the following findings of fact and conclusions of law as required under  
19 Commission Procedural Rule 28. The findings set forth below establish that Respondent violated  
20 multiple sections of the Code.

21                                **A.        FINDINGS OF FACT**

22                                The Commission finds that the legal evidence presented by the Prosecuting Officer at the  
23 hearing clearly and convincingly established each of the following facts set forth in Paragraphs 1  
24 through 2 below:

25                                1.        Respondent was, at all times applicable to the allegations contained in the Formal  
26 Statement of Charges, a Judge for the Eighth Judicial District Court, Family Court Division, located in  
27 Clark County, Nevada, and whose conduct was subject to the Code.

28                                ///

1           2.       The factual allegations in Count One of the Formal Statement of Charges regarding a  
2 family court custody case wherein Respondent held a mother in contempt of court on June 8, 2017 (1)  
3 without due process and a right to be heard, and (2) sanctioning the mother for contempt by changing  
4 custody and awarding the father sole legal and physical custody, have been proven by clear and  
5 convincing evidence.

6           The credible evidence established that Welthy Silva ("mother") and Rogerio Silva ("father")  
7 were divorced in 2013 in Clark County, Nevada. *See* Case No. D-12-467820-D. The parties had one  
8 minor child. In the original Decree of Divorce, the Court granted the mother primary physical custody  
9 and the father weekend visitation of the child. The parties were granted joint legal custody.

10          Beginning in May 2015, the parties began litigating several issues concerning the well-being of  
11 their child and whether the mother was interfering with the father's visitation rights. During the next  
12 twelve months, Respondent held many hearings on these issues.

13          On May 12, 2016, an in-person hearing was held, during which the parties argued whether the  
14 mother was interfering with the father's rights of visitation. Respondent then advised the mother that  
15 she was close to being held in contempt and being incarcerated. At the conclusion of the hearing, the  
16 Respondent ordered that the father shall have visitation with the child on the upcoming weekend and  
17 that the parties shall exchange the child under the supervision of Donna's House Central, a program  
18 used by the Clark County Family Court to facilitate custody exchanges.

19          On May 14, 2016, the mother allegedly failed to comply with the recently ordered visitation and  
20 on May 17, 2016, the father's counsel filed a motion to place the matter back on calendar regarding the  
21 visitation. On June 8, 2016, Respondent issued a Minute Order detailing the visitation issues (the "June  
22 8<sup>th</sup> Minute Order"). The Respondent concluded that "[t]his Court finds that Plaintiff [mother] is in  
23 contempt of the Court's order to facilitate visitation on weekends with the Father, AN ORDER TO  
24 SHOW CAUSE SHALL ISSUE." (Exhibit 7).

25          The June 8<sup>th</sup> Minute Order further stated, "[m]other shall bring the minor child to Dept. J, Court  
26 room [*sic*] #4, on June 15, 2016 at 1:30 p.m. If the Mother fails to deliver the minor child to the  
27 courtroom on June 15, 2016, she shall be deemed in further contempt of Court, and sentenced to  
28 twenty-five (25) days incarceration. If the Mother fails to appear, a bench warrant shall issue." The



1 June 8<sup>th</sup> Minute Order also addressed other Order to Show Cause issues that were not related to  
2 visitation, and stated in closing, "[t]he Order to Show Cause Hearing shall be scheduled for July 28,  
3 2016 at 1:30 p.m."

4 The mother arrived with her minor child at the scheduled hearing on June 15, 2016. Respondent  
5 ordered all parties except the minor child to leave the courtroom, and Respondent addressed the child  
6 for nine (9) minutes off the record. The mother was not allowed to return to the courtroom. In the  
7 mother's absence, Respondent awarded the father temporary sole legal and physical custody,  
8 terminated the father's child support obligation, ordered the mother to pay the statutory minimum child  
9 support to the father, and the mother was to have no contact with the minor child.

10 Respondent addressed the crying minor child by stating that the change in custody occurred  
11 because the mother and minor child were not cooperative with the court ordered visitations.  
12 Respondent further stated that if the minor child refused to go with the father she would end up in Child  
13 Haven, which Respondent referred to as a "jail for kids."

14 At the court proceeding on June 15, 2016, no evidence or testimony was entered into the record  
15 regarding the change of custody, change in child support or the finding of contempt. No Order to Show  
16 Cause had previously issued regarding the failure to facilitate visitation or notice regarding the change  
17 of custody and/or child support, and no hearing on the merits was held.

18 The Commission found that the finding of contempt and change in custody was not in  
19 accordance with Nevada law in that Respondent held the mother in contempt without due process and  
20 an opportunity to be heard; and punitively sanctioned the mother by changing custody and awarding  
21 temporary sole physical and legal custody to the father. At the disciplinary hearing, Respondent  
22 testified that (1) she did not find the mother in contempt of court in the June 8<sup>th</sup> Minute Order; (2) the  
23 June 15, 2016 court proceeding was not a hearing but rather a custody exchange; and (3) the change in  
24 custody was not punitive but was in the best interest of the child. Despite Respondent's words to the  
25 contrary set forth in her court minutes and orders, as well as in Respondent's admissions in her  
26 interview with the Commission's investigator and her answers to interrogatories (Exhibit 7, June 8<sup>th</sup>  
27 Minute Order; Exhibit 14, Commission Interview; and Exhibit 4, Respondent's Interrogatory Answers),  
28 the Commission did not find the Respondent's testimony credible and found that Respondent held the

1 mother in contempt and punitively changed custody, both without notice or an opportunity to be heard.

2 Respondent testified that she made a prima facie finding of contempt; however, the Commission  
3 found her testimony in this regard to be disingenuous. *See* Transcript of Proceedings, dated Wednesday,  
4 May 30, 2018 ("Transcript"), p. 24 lns. 19 – 21; see generally p. 24 - 29. The June 8<sup>th</sup> Minute Order and  
5 the subsequent Order dated June 14, 2016 (which memorialized the June 8<sup>th</sup> Minute Order) (the "June  
6 14<sup>th</sup> Order"), state that Respondent found the mother in contempt of court; however, the finding was  
7 made prior to an order to show cause issuing, and without an affidavit on file or a hearing being held on  
8 the same. Therefore, the Commission found that the evidence supports that Respondent found the  
9 mother in contempt of court on June 8, 2016 for failing to facilitate weekend visitation with the father.

10 To further support her claim that she did not hold the mother in contempt on June 8, 2016,  
11 Respondent testified that the Order to Show Cause ("Visitation OSC") that was served on the mother at  
12 the June 15, 2016 hearing was not appropriate because the May 12, 2016 visitation hearing had not  
13 been reduced to a written order. (Exhibit 9, June 15<sup>th</sup> Minute Order, Transcript, p. 59, lns. 11-15). The  
14 Commission found Respondent's testimony regarding the Visitation OSC troubling for three reasons.  
15 The first reason stems from the fact that Respondent improperly served the Visitation OSC on the  
16 mother after finding the mother in contempt for the failure to facilitate visitation in the June 8<sup>th</sup> Minute  
17 Order. The Visitation OSC should have been served on the mother and a hearing held prior to finding  
18 the mother in contempt. The second troubling aspect is that Respondent issued and served the  
19 Visitation OSC without an order to base it upon as no order regarding the initial May 12, 2016  
20 visitation hearing was ever signed and filed. (Exhibit E, R0133 Court Minutes dated July 28, 2016).  
21 Finally, the Commission disapproved of Respondent blaming a temporary clerk for rejecting the  
22 proposed order pertaining to the May 12, 2016 visitation hearing, and not informing Respondent of the  
23 rejection. (Transcript, p. 137, lns. 2 -12). The Commission notes that Respondent has a duty to know  
24 her docket and accept responsibility for her actions.

25 Respondent also argued at the disciplinary hearing that she did not deprive the mother of her  
26 right to be heard regarding the change in custody or contempt sanction because the June 15, 2016  
27  
28

1 hearing was not a hearing but rather a custody exchange.<sup>1</sup> (Transcript p. 53, ln. 23 – p. 55, ln. 7). The  
2 Commission did not find Respondent's testimony credible. The Commission found that it was in fact a  
3 hearing, as it was on the record, the court staff was present, the father had counsel with him, custody  
4 was changed, child support was awarded, the minor was ordered to be enrolled at the public school for  
5 which the father was zoned, the mother was to have no contact with the daughter, and attorney's fees  
6 were awarded to the father. Accordingly, the credible evidence supports that the June 15, 2016 court  
7 appearance was a hearing in which the mother was deprived of her right to notice and right to be heard  
8 regarding contempt and change in custody. (Exhibit 9, June 15<sup>th</sup> Minute Order).

9 Furthermore, the Commission found that the change in custody was not primarily motivated by  
10 the best interest of the child. "In making a child custody determination, 'the sole consideration of the  
11 court is the best interest of the child.'" *Davis v. Ewalefo*, 131 Nev. Adv. Op. 45, 352 P.3d 1139, 1143  
12 (2015) (quoting NRS 125.480(1) (2009)). "In determining the best interest of the child, the  
13 court *shall* consider and set forth its specific findings" with respect to, among other things, each of the  
14 twelve factors set forth in NRS 125C.0035(4). *Lewis v. Lewis*, 132 Nev. Adv. Op. 46, 373 P.3d 878,  
15 882 (2016) (emphasis added) (internal quotation marks omitted) (discussing the identical factors from  
16 NRS 125.480(4) (2009)). Moreover, the court must tie its findings with respect to each factor to the  
17 best interest of the child. *See Davis*, 131 Nev. at \_\_\_\_, 352 P.3d at 1143.

18 At the June 15, 2016 hearing, Respondent never considered the best interest factors, but rather  
19 stated on the record that she was changing custody because the mother and daughter failed to cooperate  
20 with visitation and, at the end of the hearing, added that it was in the best interest of the child.<sup>2</sup> (Exhibit  
21

22 <sup>1</sup> No evidence was presented pertaining to any circumstances regarding the welfare and best interest of the minor child that  
23 would permit or justify a change in custody on June 15, 2016 without notice or a hearing. Moreover, there was no evidence  
24 that Respondent considered the best interest of the minor child as Respondent failed to consider and set forth specific  
25 findings as required by law. NRS § 125C.0035. Respondent averred that the proceeding was similar to a "pick-up order"  
26 pursuant to NRS 125C.0055, wherein if the court finds that it would be in the best interest of the minor child, the court may  
order that physical custody be changed; however, the child must be produced before the court as soon as practicable to  
allow the court to make a disposition of the best interest of the child. In this instance, physical custody changed on June 15,  
2016, and the evidentiary hearing was scheduled for October 11, 2016. A four-month period of time is not as soon as  
practicable.

27 <sup>2</sup> NRS 125C.0035(4) In determining the best interest of the child, the court shall consider and set forth its specific findings  
concerning, among other things:

28 (a) The wishes of the child if the child is of sufficient age and capacity to form an intelligent preference as to his or her  
physical custody.

(b) Any nomination of a guardian for the child by a parent.

1, JAVS recording). The Commission noted that Respondent's mere use of the words "best interest of the child" at the close of the June 15, 2016 hearing did not change the primary punitive motive for the change of custody.<sup>3</sup> Moreover, Respondent's witness, Judge Hoskin, testified that when changing custody, even temporarily, the primary purpose must be the best interest of the child, not to punish an uncooperative parent. (Transcript, p. 163, ln. 21 – p. 164, ln. 8). The Commission found that Respondent changed custody as a punitive measure, thereby failing to follow the law regarding contempt and change in custody.

Moreover, the Commission further found that the change in custody had a punitive aspect in that the mother was removed from the courtroom at the June 15, 2016 hearing, denied due process, and that the change in custody was an impermissible contempt sanction for the mother's failure to obey the prior visitation orders.<sup>4</sup> The Commission notes that the Nevada Supreme Court has held that a district court abused its discretion by improperly basing its decision to change custody upon a parent's failure to obey court orders. "This court has made it clear that a court may not use changes of custody as a sword to punish parental misconduct; disobedience of court orders is punishable in other ways." *Lewis v. Lewis*, 132 Nev. Adv. Op. 46, 373 P.3d 878, 882 (2016) citing *Sims v. Sims*, 109 Nev. 1146, 1149, 865 P.2d 328, 330 (1993). The same circumstances apply in this matter wherein Respondent used the contempt process to change custody. The Commission also found that Respondent should not have used

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(c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the noncustodial parent.

(d) The level of conflict between the parents.

(e) The ability of the parents to cooperate to meet the needs of the child.

(f) The mental and physical health of the parents.

(g) The physical, developmental and emotional needs of the child.

(h) The nature of the relationship of the child with each parent.

(i) The ability of the child to maintain a relationship with any sibling.

(j) Any history of parental abuse or neglect of the child or a sibling of the child.

(k) Whether either parent or any other person seeking physical custody has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child.

(l) Whether either parent or any other person seeking physical custody has committed any act of abduction against the child or any other child.

<sup>3</sup> Moreover, NRS 22.100 limits the punishment for contempt to a fine not exceeding \$500 or the person may be imprisoned not exceeding 25 days, or both. A change of child custody is not a permitted sanction for contempt.

<sup>4</sup> The Commission held that the change in custody was punitive based upon Respondent's statements, the mother's expulsion from the hearing, and court minutes and orders stating that the change in custody was due to the mother's failure to facilitate visitation with the father in violation of prior orders of the court.

1 the contempt process to bypass the mother's due process rights. *Dagher v. Dagher*, 103 Nev. 26, 28,  
2 731 P. 2d 1329, 1330 (1987) (court may not use custody change as punishment).

3 In summary, the Commission found that Respondent, as a new judge, sought advice from more  
4 senior judges on how to handle this contentious case; but that even with such advice failed to follow the  
5 law and the Code. On June 8, 2016, Respondent found the mother in contempt of court for failing to  
6 facilitate visitation with the father in violation of prior court orders, without an affidavit or hearing on  
7 the same. Then on June 15, 2016, Respondent punitively changed custody, after removing the mother  
8 from the courtroom, based upon the prior finding of contempt, while simultaneously issuing an Order to  
9 Show Cause for the same, thereby violating the mother's due process rights. The Commission did not  
10 find Respondent's testimony credible that she did not find the mother in contempt on June 8, 2016; the  
11 June 15, 2016 hearing was not a hearing; nor her assertion that the change in custody was based upon  
12 the best interest of the child and not as a punishment to the mother for violating prior court orders.  
13 Finally, the Commission was concerned that Respondent did not admit to violating the Code.  
14 (Transcript, p. 55, lns. 12-15).<sup>5</sup>

15 Based upon the testimony and admitted evidence, the Commission found that Respondent's  
16 actions, by holding the mother in contempt of court on June 8, 2016 (1) without due process and a right  
17 to be heard, and (2) sanctioning the mother for contempt by changing custody and awarding the father  
18 sole physical and legal custody, Respondent violated the Code, including Judicial Canon 1, Rule 1.1,  
19 failing to comply with the law, including the Code; Rule 1.2, failing to promote confidence in the  
20 judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to perform all duties of her  
21 judicial office fairly and impartially; Rule 2.5(A) failing to perform judicial and administrative duties  
22 competently and diligently; and Rule 2.6(A), failing to accord a party's right to be heard.

23 3. The Commission finds that the factual allegations contained in Count Two of the Formal  
24 Statement of Charges regarding patient, dignified and courteous conduct have not been proven by clear  
25 and convincing evidence.

26 ///

27  
28 <sup>5</sup> Moreover, Respondent testified that her only regret regarding the entire June 15, 2016 proceeding was that "she [mother]  
put me in that position." (Transcript, p. 47, ln. 19).

1           B.       CONCLUSIONS OF LAW

2           1.       As to Count One of the Formal Statement of Charges, the Commission finds that the  
3 Prosecuting Officer has proven by clear and convincing evidence that Respondent's actions constitute  
4 violations of Canon 1, Rule 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to  
5 promote confidence in the judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing  
6 to perform all duties of her judicial office fairly and impartially; Rule 2.5(A) failing to perform judicial  
7 and administrative duties competently and diligently; and Rule 2.6(A), failing to accord a party's right  
8 to be heard.

9           Respondent's testimony and arguments centered upon the mother being a pathogenic parent;  
10 however, even a "bad" parent is entitled to due process regarding custody of his or her child.<sup>6</sup> In  
11 *Gordon v. Geiger*, 402 P.3d 671, 674 (Nev. 2017), the Nevada Supreme Court held that parents have a  
12 fundamental right concerning custody of their children.

13           "[D]ue process of law [is] guaranteed by the Fourteenth Amendment of the United States  
14 Constitution and Article 1, Section 8(5)... of the Nevada Constitution." *Rico v.*  
15 *Rodriguez*, 121 Nev. 695, 702-03, 120 P.3d 812, 817 (2005). Due process protects  
16 certain substantial and fundamental rights, including the interest parents have in  
17 the custody of their children. *Id.* at 704, 120 P.3d at 818. Further, due process demands  
notice before such a right is affected. *Wiese v. Granata*, 110 Nev. 1410, 1412, 887 P.2d  
744, 745 (1994). Accordingly, a "party threatened with loss of parental rights must be  
given opportunity to disprove evidence presented." *Wallace v. Wallace*, 112 Nev. 1015,  
1020, 922 P.2d 541, 544 (1996) (citing *Wiese*, 110 Nev. at 1413, 887 P.2d at 746).

18           Parents are entitled to be afforded notice and an opportunity to be heard regarding a change in  
19 visitation or custody. *Gordon* at 675. Moreover, in *Gordon*, the Court noted that the district court's  
20 findings were not supported by substantial evidence due to the fact that the district court relied upon  
21 unrecorded child interviews and an unsubstantiated CPS report, neither of which were admitted into  
22 evidence. *Id.* The Court reversed the district court's sua sponte increase in the father's visitation. *Id.*

23           In this matter, Respondent, in her June 8<sup>th</sup> Minute Order, sua sponte found the mother in  
24 contempt of court for failure to facilitate the minor child's visitation with the father. (Transcript p. 50,  
25 ln. 23 – p. 51, ln. 1). Respondent testified that she decided to change custody on June 8, 2016, and  
26 effectuated the same at the June 15, 2016 hearing. (Transcript p. 50, ln. 6 – p. 51, ln. 25, p. 131, ln. 23 –  
27 p. 132, ln. 1). Respondent's actions in finding the mother in contempt via a minute order, that was later

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<sup>6</sup> The Commission is not making a finding as to the parenting capabilities of either parent.

1 reduced to an order, expulsion of the mother from the courtroom and failure to address the best interest  
2 of the minor child in the order or hearing indicate the punitive nature of the change in custody. *See*  
3 *Gordon* at 675 (noting that on remand the district court must allow the parties to demonstrate whether  
4 custody or visitation modification is warranted based upon the child's welfare and best interest)  
5 (*citation omitted*). Moreover, "[i]n determining the best interest of the child, the court *shall* consider  
6 and set forth its specific findings" with respect to, among other things, each of the twelve factors set  
7 forth in NRS 125C.0035(4). *Lewis v. Lewis*, 132 Nev. Adv. Op. 46, 373 P.3d 878, 882 (2016)  
8 (emphasis added) (internal quotation marks omitted) (discussing the identical factors from NRS  
9 125.480(4) (2009)). The sua sponte finding of contempt and decision to change custody based upon  
10 reports from therapists and Donna's House violated the mother's due process rights.

11 The purpose of this hearing and the charges filed against Respondent do not rest on the  
12 behavioral issues of the mother, father and child, cross-generational parental alienation, enmeshment,  
13 victimization, a child's ability to articulate, therapeutic recommendations, or pathogenic parenting as  
14 heavily relied on by Respondent. Rather, this case centers around Respondent's actions in denying the  
15 mother an opportunity to be heard, the imposition of unlawful sanctions upon the mother as a  
16 punishment for contempt without a hearing in violation of Nevada law and the Code. The evidence  
17 clearly and convincingly demonstrated that the Respondent failed to comply with the law and the Code  
18 in this regard.

19 The totality of the evidence and testimony support that Respondent changed custody primarily  
20 to punish the mother. The Nevada Supreme Court has made it clear that "a court may not use changes  
21 of custody as a sword to punish parental misconduct; disobedience of court orders is punishable in  
22 other ways." *Lewis v. Lewis*, 132 Nev. Adv. Op. 46, 373 P.3d 878, 882 (2016) citing *Sims v. Sims*, 109  
23 Nev. 1146, 1149, 865 P.2d 328, 330 (1993). Notice and an opportunity to be heard are part of  
24 fundamental fairness that due process requires regarding child custody, and in this instance, Respondent  
25 failed to afford the mother her due process rights in violation of the law and the Code. A judge has a  
26 duty to know the law of contempt. *See generally, Goldman v. Nevada Comm'n on Judicial Discipline*,  
27 108 Nev. 251, 830 P.2d 107 (1992), *disapproved of on other grounds by In re Fine*, 116 Nev. 1001, 13  
28 P.3d 400 (2000).

2. As to Count Two of the Formal Statement of Charges, the Commission found that the factual proof as to lack of being patient, dignified and courteous was insufficient to sustain the charges.<sup>7</sup>

3. The Commission has both personal jurisdiction over the Respondent and subject matter jurisdiction over the violations of the Code at issue in this case.

### C. IMPOSITION OF DISCIPLINE

The Commission found it very troubling that the Respondent (1) was unfamiliar with the law on contempt and the proper sanctions to be imposed thereunder;<sup>8</sup> (2) blamed her temporary clerk for not advising her of matters that Respondent, as a judge, should already know;<sup>9</sup> (3) signed an order without first reviewing it carefully to ensure that it was accurate;<sup>10</sup> (4) relied on certain laws as authority for her actions where such laws were either inapplicable given the circumstances or not complied with as required by law;<sup>11</sup> (5) did not understand what constitutes a hearing;<sup>12</sup> and (6) attempted to explain

<sup>7</sup> Count Two of the Formal Statement of Charges alleged that the Respondent violated the Code in failing to be patient, dignified and courteous to the mother and her minor child and provide them with due process and an opportunity to be heard. The Commission in Count One found that Respondent failed to provide the mother and her child with due process and the right to be heard; however, Count Two was dismissed based solely upon the patient, dignified and courteous aspects of the charge.

<sup>8</sup> Despite appearing before the Commission at a hearing on charges alleging that Respondent violated Nevada's contempt laws by ordering a change in custody as a sanction for contempt, Respondent testified that she did not recall the controlling cases which addressed those very same laws. (Transcript, p. 17, ln. 18 – p. 18, ln. 6). Even after arguing that her change of custody was not ordered as a punishment for contempt (which the evidence and her own statements contradict), but rather was based on the best interest of the child, Respondent still failed to consider and set forth specific findings in her order as required under NRS 125C.0035(4).

<sup>9</sup> Respondent testified that her temporary clerk did not advise her that an order regarding the May 12, 2016 visitation hearing had not issued prior to the Visitation OSC being served upon the mother. (Transcript, p. 136, ln. 14 – p. 137, ln. 12).

<sup>10</sup> In response to a question from the Prosecuting Officer as to why certain words were not contained in her June 14, 2016 Order, Respondent did acknowledge that her Order contained mistakes, but testified that, "I didn't draft this document." (Transcript, p. 29, lns. 2 – 17). The Prosecuting Officer then asked, "[i]f a judge reviews a proposed order written by a lawyer that's incorrect, the judge certainly can correct it or tell the lawyer how to correct it." *Id.* at p. 29, lns. 14 – 16. The Respondent replied, "I certainly can do that." *Id.* at ln. 17. Respondent clearly just signed the Order without reviewing it. When judges do not review proposed orders prepared by court clerks and attorneys, the likelihood of errors increases significantly. It is the public that is harmed by such apathy since the affected individuals must spend more time and money to correct it, not to mention the enormous emotional toll that is exacted on such individuals, particularly in family law cases. The existence of a large volume of cases to be processed offers little consolation to those affected by incorrect or unlawful orders and is not an excuse. The buck stops with the judges who are tasked with carrying out their judicial responsibilities as they were elected to do by the citizenry of the State of Nevada. A central part of those responsibilities is to carefully review documents before signing them.

<sup>11</sup> Respondent testified that custody was changed based on the best interest of the child under NRS 125C.0035, but failed to consider and set forth specific findings to that effect as required thereunder. Respondent also characterized the proceeding on June 15, 2016 as similar to a "pick-up order" pursuant to NRS 125C.0055, which was inapplicable given the circumstances. Even if NRS 125C.0055 was applicable, Respondent failed to comply with that statute as well.

<sup>12</sup> See p.4, ln. 25 – p. 5, lns. 1-8, *supra*.



1 away at least four separate incidences where Respondent either specifically stated that she was holding  
2 the mother in contempt, or ordered a change in custody and imposed discipline, for failing to facilitate  
3 visitation without a hearing, by arguing that she meant something other than what is expressly stated in  
4 her orders, court minutes, interrogatory answers and investigative interview.<sup>13</sup> Remarkably, even after  
5 an entire hearing of testimony and evidence, where the law of contempt was discussed extensively,  
6 Respondent still maintained that she did not violate any judicial rules. (Transcript, p. 55, lns. 12-15).

7 Accordingly, in consideration of the totality of Respondent's actions and violations of the Code,  
8 the Commission concludes that the appropriate discipline under Commission Procedural Rule 28 shall  
9 be as follows:

10 By unanimous vote of the Commission, after due deliberation and consideration of the evidence  
11 presented; Respondent's lack of prior discipline by the Commission; Respondent's character reference  
12 letters; and her status as an inexperienced judge at the time of this incident;<sup>14</sup> but nevertheless, in light  
13 of the seriousness of Respondent violating the mother's due process rights, it is decided that pursuant to  
14 subsections 5(a) and (b) of Article 6, Section 21 of the Constitution of the State of Nevada, NRS  
15 1.4653(1) and (2), NRS 1.4677(1)(a) and (d)(2), and Commission Procedural Rule 28, Respondent shall  
16 hereby be publicly reprimanded for having committed the acts as fully set forth above, and required to  
17 attend and complete, at her own expense, the course entitled "Managing Challenging Family Law  
18 Cases" at the National Judicial College in October of 2018; or such other similar course as may be  
19 available with the approval of the Commission's Executive Director, within one (1) year of the date of  
20 this Order. Respondent shall timely notify the Commission upon compliance with all requirements of  
21 this Order. If Respondent fails to comply with the requirements of this Order, such actions will result in  
22 her permanent removal from the bench. NRS 1.4677(1)(e).

23  
24 <sup>13</sup> Despite the evidence to the contrary, Respondent testified that she did not hold the mother in contempt, but rather made a  
25 prima facie finding of contempt. (Hearing Transcript, p. 24, ln. 19 – p. 25 ln. 2; see generally p. 25 – 29). Under this  
26 rationale, litigants and appellate courts would not be able to rely on the express statements in a judge's order, but rather  
27 would have to entertain the possibility that the judge intended something else. Not only is there no authority under the law  
28 for such legal gymnastics, but permitting such a construction would turn the law on its head.

<sup>14</sup> An experienced judge's ignorance of proper contempt procedures is willful misconduct. See *Goldman*, 108 Nev. at 251,  
830 P.2d at 135 (1992) (finding that bad faith is not synonymous with willful misconduct). However, the imposition of  
discipline does not require willful misconduct. NRS 1.4653(2) ("The Commission may publicly censure a judge or impose  
other forms of discipline on a judge if the Commission determines that the judge has violated one or more of the provisions  
of the Nevada Code of Judicial Conduct in a manner that is not knowing or deliberate.").

1       The primary purpose of the Revised Nevada Code of Judicial Conduct is the protection of the  
2 public, not the punishment of judges. The Commission protects the public by instilling confidence in  
3 the integrity of the judicial system in Nevada, as public trust is essential to the administration of justice.  
4 In carrying out this duty, the law provides the Commission a broad range of disciplinary measures to be  
5 imposed which include, but are not limited to, removal from office, suspensions, fines, educational  
6 requirements, public reprimands, etc. The imposition of discipline further serves the function of  
7 discouraging future misconduct by the disciplined judge, as well as the judiciary as a whole.  
8 Accordingly, the purpose of the Commission's decision in this case is to protect the public by issuing a  
9 public reprimand and educating, and thus, rehabilitating Respondent.

10       The discipline imposed against Respondent is based upon the facts of the case, the seriousness  
11 of the offenses involved, and consideration of mitigating circumstances.

12       **D.     ORDER**

13       IT IS HEREBY ORDERED by unanimous vote of Commissioners Chairman Gary Vause,  
14 Bruce C. Hahn, Esq., Stefanie Humphrey, Laurence Irwin, Esq., John Krmpotic and the Honorable  
15 Thomas Stockard that Respondent be, and hereby is, publicly reprimanded for violations of Judicial  
16 Canon 1, Rule 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to promote  
17 confidence in the judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to  
18 perform all duties of her judicial office fairly and impartially; Rule 2.5(A) failing to perform judicial  
19 and administrative duties competently and diligently; and Rule 2.6(A), failing to accord a party's right  
20 to be heard.

21       IT IS FURTHER ORDERED that Respondent shall within one-year of the date of entry of this  
22 Order, attend and complete, at her own expense, the National Judicial College course entitled  
23 "Managing Challenging Family Law Cases" in October of 2018; or such other similar course as may be  
24 available with the approval of the Commission's Executive Director.

25       IT IS FURTHER ORDERED that failure to comply with the educational requirement of this  
26 Order shall result in Respondent being permanently removed from the bench and forever barred from  
27 serving as a judicial officer in the future. NRS 1.4677(1)(e). Accordingly, the Commission retains  
28 jurisdiction over this matter for the required period of time for Respondent to comply with this Order.

1 IT IS FURTHER ORDERED by unanimous vote that the Chairman is authorized to sign this  
2 document on behalf of all voting Commissioners.

3 DATED this 18<sup>th</sup> day of June, 2018.

4  
5 STATE OF NEVADA  
6 COMMISSION ON JUDICIAL DISCIPLINE  
7 P.O. Box 48  
8 Carson City, NV 89702

9 By: 

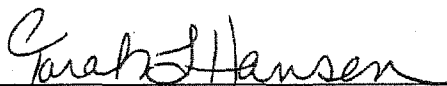
10 GARY VAUSE  
11 COMMISSION CHAIRMAN  
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1 CERTIFICATE OF SERVICE

2 I hereby certify that I am an employee of the Nevada Commission on Judicial Discipline and  
3 that on the 18<sup>th</sup> day of June, 2018, I served a copy of the **FINDINGS OF FACT, CONCLUSIONS**  
4 **OF LAW AND IMPOSITION OF DISCIPLINE** by email and U.S Mail, postage paid, addressed to  
5 the following:

6 William B. Terry, Esq.  
7 William B. Terry, Chartered Attorney at Law  
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Tarah L. Hansen, Commission Clerk

1                                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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3  
4   In the Matter of

5   THE HONORABLE RENA G. HUGHES,  
6   District Court Judge, Family Division, Eighth  
7   Judicial District Court, Department J,  
8   County of Clark, State of Nevada,

9                                   Respondent.

CASE NO. 76117

**FILED**

JUN 22 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY [Signature]  
CHIEF DEPUTY CLERK

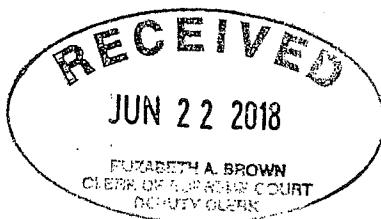
10                                   **CERTIFIED COPY OF NOTICE OF APPEAL**

11  
12           Pursuant to NRAP 3D, I hereby certify that the document attached hereto is a true and correct  
13   copy of the NOTICE OF APPEAL filed with the Nevada Commission on Judicial Discipline on June  
14   21, 2018.

15           DATED this 22<sup>nd</sup> day of June, 2018.

16                                   STATE OF NEVADA  
17                                   COMMISSION ON JUDICIAL DISCIPLINE  
18                                   P.O. Box 48  
19                                   Carson City, NV 89702  
20                                   (775) 687-4017

21           By: [Signature]  
22                                   PAUL C. DEYHLE  
23                                   General Counsel and Executive Director  
24                                   Nevada Bar No. 6954



D-12-467820-D

Mother, from her difficult relationship with Father.

In January 2016, the Court issued an Order to Show Cause against Plaintiff for having violated the Court's Orders of May 5, 2015, July 21, 2015, October 7, 2015, and January 5, 2016 to have the child subjected to standardized testing for math proficiency. Further, because Mother was not facilitating reunification therapy, the Court ordered visitation exchanges occur at Donna's House, so the exchanges could be observed, and a report to the Court generated. Visitation was ordered for 2.5 hours on dates certain throughout February 2016, with eventual overnights at the end of February, to take place each week. On February 16, 2016, Donna's House reported that the parties completed the orientation process, but Annie refused to go with her Father for visitation, and they canceled future exchanges.

The Court then issued a referral Order for Outsourced Evaluation Services with Claudia Schwarz on February 28, 2016. Each party was ordered to pay one half of Ms. Schwarz fees. On March 1, 2016, Ms. Schwarz reported to the Court that Father was in compliance with the Court's order and was ready to begin services, however, Mother contacted her and explained she cannot pay for services at this time. Because Mother could not pay for services, the Court AGAIN ordered child custody exchanges to resume, at Donna's House, as previously ordered. The Court FURTHER ADMONISHED Mother that if she did not encourage and facilitate the exchanges on weekends, Annie would spend the entire summer with Father, Mother may be held in contempt, and further sanctions could issue against her. Mother brought Annie to Donna's House for the exchange and Annie refused to go with Father.

This Court FINDS that Mother has failed to facilitate Father's visitation with Annie. Because Mother has failed to facilitate visitation with Father, she has violated his parental rights and the orders of this Court. Mother was advised at the last court hearing that if she did not compel the minor child to visit with Father on weekends, the child would spend the entire summer with Father.

Based upon the reasons stated above: IT IS HEREBY ORDERED THAT:

This Court finds that Plaintiff is in contempt of the Court's order to facilitate visitation on weekends with the Father, AN ORDER TO SHOW CAUSE SHALL ISSUE.

AN ORDER TO SHOW CAUSE is also issued against Plaintiff for not complying with the Court's orders to refinance the HELOC, on the former marital residence, or in the alternative, to have it sold.

AN ORDER TO SHOW CAUSE is further issued against Plaintiff for not having Annie tested for Math proficiency in a timely manner as ordered by the Court.

PRINT DATE:	06/08/2016	Page 4 of 5	Minutes Date:	June 08, 2016
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Mother shall bring the minor child to Dept. J, Court room #4, on June 15, 2016 at 1:30 p.m. If Mother fails to deliver the minor child to the courtroom on June 15, 2016, she shall be deemed in further contempt of Court, and sentenced to twenty-five (25) days incarceration. If Mother fails to appear, a bench warrant shall issue.

The Order to Show Cause hearing shall be scheduled for July 28, 2016 at 1:30 p.m. The Status Check, set for July 28, 2016, at 10:00 am, shall hereby, be VACATED.

Counsel for Defendant shall prepare an Order consistent with this Court minute, and the Orders to Show Cause.

Clerk's note, a copy, of today's minute order was mailed, to Plaintiff and placed, in counsel's folder, at Family Court.

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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

June 15, 2016

D-12-467820-D      Welthy Silva, Plaintiff  
                                  vs.  
                                  Rogerio Silva, Defendant.

June 15, 2016      1:30 PM      Request of Court

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Kendall Wilson

## PARTIES:

Annie Silva, Subject Minor, present  
 Rogerio Silva, Defendant, Counter Claimant,      Lesley Cohen, Attorney, present  
 present  
 Welthy Silva, Plaintiff, Counter Defendant,      Pro Se  
 present

## JOURNAL ENTRIES

## - REQUEST OF COURT

Marilyn Caston, bar no. 11654, present on behalf of Dad.

Mom served with the Order to Show Cause filed 06/14/2016 by the Court Marshal.

Parties instructed to leave the courtroom so the Court may speak with Minor.

MATTER TRAILED.

MATTER RECALLED.

COURT ORDERED:

PRINT DATE:	06/21/2016	Page 1 of 3	Minutes Date:	June 15, 2016
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- 1.) Due to Mom's failure to facilitate visitation, and compel the child to visit with Dad, the Court is ordering Dad shall have TEMPORARY SOLE LEGAL and SOLE PHYSICAL CUSTODY;
- 2.) Dad's CHILD SUPPORT obligation to Mom shall CEASE IMMEDIATELY. Mom shall have an obligation to pay CHILD SUPPORT to Dad at the statutory minimum rate of \$100.00 per month, based on Mom's income;
- 3.) Dad shall enroll Minor in a public school in the school zone for his residence;
- 4.) Mom shall have NO CONTACT with Minor;
- 5.) Dad's counsel shall submit a Memorandum of Fees and Costs, copying the Court with her billing statements, for all work done from April 2015, to the present, within the next twenty (20) days. Mom shall have ten (10) days for the date of service of the Memorandum of Fees and Costs to file any Objection to the Memorandum;
- 6.) Court Marshal is to accompany Dad and minor to his vehicle, and if minor refuses to go with Dad, she shall go to Child Haven;
- 7.) Ms. Cohen shall prepare the Order.

09/20/2016 at 11:00 a.m. - CALENDAR CALL

10/11/2016 at 1:30 p.m. - EVIDENTIARY HEARING (stack #4) regarding permanent change in custody.

**FUTURE HEARINGS:**

July 28, 2016 1:30 PM Order to Show Cause  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

September 20, 2016 11:00 AM Calendar Call  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

October 11, 2016 1:30 PM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

## Divorce - Complaint

COURT MINUTES

July 28, 2016

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

July 28, 2016      1:30 PM      Order to Show Cause

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Annie Silva, Subject Minor, not present

Rogério Silva, Defendant, Counter Claimant, present  
Lesley Cohen, Attorney, present

Welthy Silva, Plaintiff, Counter Defendant,                      Pro Se  
present

## JOURNAL ENTRIES

- ORDER TO SHOW CAUSE: PLTF'S VIOLATIONS

Attorney Weatherford, Bar #7949, present, with Plaintiff, in an UNBUNDLED CAPACITY.

Court addressed, the 5/12/16 Order has not been signed, or filed, regarding Donna's House; therefore, contempt charges can not be addressed. Court reviewed the history of the case and past Orders, regarding the Divorce Decree provision, HELOC, brief's filed 8/18/15 and 9/10/15, minors testing Order and letter (dated 7/27/15) stating which location Defendant choose to have minor tested. Court discussed why Donna's House closed the case and it being a question of fact.

The Order to Show Cause to proceed, with the math testing issue.

## OPENING STATEMENTS.

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Witness, Welthy Silva, sworn and testified.

CLOSING STATEMENTS.

COURT stated FINDINGS and ORDERED:

1. Plaintiff shall be FOUND IN CONTEMPT, for FAILURE to FOLLOW the ORDER, regarding having minor MATH TESTED, at a FACILITY of Defendant's CHOOSING (Sylvan).
2. Plaintiff shall be SANCTIONED \$500.00, regarding the CONTEMPT. Said amount shall be REDUCED to JUDGMENT, carrying legal interest and collectible by any legal means.
3. Plaintiff shall PAY Defendant ATTORNEY'S FEES and COSTS. Said amount shall be REDUCED to JUDGMENT, carrying legal interest and collectible by any legal means. Attorney Cohen shall FILE a MEMORANDUM of FEES and COSTS, within 10 days. Upon RECEIPT of the MEMORANDUM, Plaintiff shall have 10 days to FILE a RESPONSE. Counsel shall PROVIDE the DEPARTMENT, with a COURTESY COPY.
4. Plaintiff shall be INFORMED, of minors SCHOOL SCHEDULE and TEACHER MEETINGS.
5. Defendant shall still be PERMITTED to have minor MATH TESTED, if he CHOOSES.
6. The HELOC issue shall be ADDRESSED, at the EVIDENTIARY HEARING, set for 10/11/16.

Attorney Cohen to prepare an Order, from today's hearing. Attorney Weatherford to review and sign.

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**FUTURE HEARINGS:**

September 20, 2016 11:00 AM Calendar Call  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

October 11, 2016 1:30 PM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

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D-12-467820-D

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****September 20, 2016**

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

September 20,      11:00 AM      Calendar Call  
2016

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Lesley Cohen, Attorney, present  
not present

Welthy Silva, Plaintiff, Counter Defendant,      Pro Se  
present

<b>JOURNAL ENTRIES</b>
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- Trainee Marlana Elliott present.

Discussions regarding discovery, filing and serving notice to parties.

Court noted, Plaintiff's Motion and opposition are rescheduled to be heard concurrent, with  
Evidentiary Hearing.

COURT ORDERED, EVIDENTIARY HEARING to STAND.

Clerks note, Attorney Cohen provided exhibits for the trial.

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**FUTURE HEARINGS:**

October 11, 2016 1:30 PM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

October 11, 2016 1:30 PM Motion  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

October 11, 2016 1:30 PM Opposition & Counter-motion  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

*Canceled: October 13, 2016 11:00 AM Motion*

*Canceled: October 13, 2016 11:00 AM Opposition & Counter-motion*

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****October 11, 2016**

D-12-467820-D

Welthy Silva, Plaintiff

vs.

Rogério Silva, Defendant.

**October 11, 2016****1:30 PM****Evidentiary Hearing****HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Annie Silva, Subject Minor, not present

Rogério Silva, Defendant, Counter Claimant,  
present

Lesley Cohen, Attorney, present

Welthy Silva, Plaintiff, Counter Defendant,  
present

Pro Se

<b>JOURNAL ENTRIES</b>
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**- MODIFICATION OF CUSTODY, ATTY FEES AND HELOC**

Attorney Weatherford, Bar #7949, present, with Plaintiff, in an UNBUNDLED CAPACITY. Attorney Caston, Bar #11654, present, with Attorney Cohen.

Counsel stated Parties had reached a TEMPORARY STIPULATION, and placed the following terms, ON THE RECORD.

1. Defendant will have SOLE LEGAL CUSTODY, of minor.
2. Defendant will have PRIMARY PHYSICAL CUSTODY, of minor.
3. Plaintiff will have an ALTERNATING CUSTODIAL TIMESHARE. Effective 10/14/16, Plaintiff

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will have minor Friday AFTER school through Saturday 2:00 pm; following week, Saturday 2:00 pm through Sunday 2:00 pm.

4. RECEIVING Party will PROVIDE TRANSPORTATION, with the HONK and SEAT BELT RULE being, IN EFFECT.

5. Parties will ATTEND the UNLV CO OPERATIVE PARENTING CLASS.

6. Parties will MUTUALLY AGREE on an OUTSOURCED THERAPIST. Parties will FOLLOW any REPORT and RECOMMENDATIONS, regarding TIMESHARE. INITIALLY Parties will EQUALLY DIVIDE the COST; however, if the THERAPIST RECOMMENDS one (1) parent requires more THERAPY, the COST will be DEFERRED to them regarding COST and FEES and the SPLIT THEREOF.

7. The CUSTODIAL PARENT will be RESPONSIBLE, for minor to COMPLETE HOMEWORK.

8. Minor will be to FREELY BRING her PERSONAL ITEMS BACK and FORTH, to EACH PARENTS RESIDENCE.

9. Parties will have FREE TELEPHONIC ACCESS, with minor, as LONG as said CALL does NOT INTERFERE, with SCHOOL HOMEWORK.

10. Minor will CONTINUE to see Paula Basket, as a COUNSELOR.

11. The HELOC ISSUE will be DEFERRED to the STATUS CHECK. If at the STATUS CHECK the RESIDENCE is NOT REFINANCED, Defendant will be PERMITTED, to FORCE the SALE.

12. Parties will REFRAIN from DISCUSSING this ACTION, with the minor, making DEROGATORY REMARKS, about the other parent, or having DISAGREEMENTS, in front of minor.

13. CASE will be SEALED.

14. EVIDENTIARY HEARING will be RESCHEDULED, to 3/6/17.

15. Defendant will have 2016 THANKSGIVING, 2016 CHRISTMAS and 2016/2017 NEW YEARS.

16. Parties will WORK TOGETHER, for Plaintiff to have ADDITIONAL TIME.

COURT SO ORDERED.

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Pursuant to EDCR 7.50, these Orders are effective immediately.

Attorney Weatherford to prepare an Order, from today's hearing. Attorney Cohen to review and sign.

3/6/17 9:00 am STATUS CHECK - minors progress and HELOC issue

Clerk's note, a copy of today's minutes were placed, in counsel's folder, at Family Court.

Clerk's note, Minute Order 16 corrected to show first right of refusal was not a stipulation, but Parties will decide any additional time, for Plaintiff. (ts 12/6/16)

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**FUTURE HEARINGS:**

December 22, 2016 10:00 AM Order to Show Cause  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

March 06, 2017 9:00 AM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

March 06, 2017 9:00 AM Status Check  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****February 21, 2017**

D-12-467820-D

Welthy Silva, Plaintiff

vs.

Rogerio Silva, Defendant.

**February 21, 2017 11:00 AM****Calendar Call****HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant, Marilyn Caston, Attorney, present  
presentWelthy Silva, Plaintiff, Counter Defendant, not Pro Se  
present

<b>JOURNAL ENTRIES</b>
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- Court noted, matter was on the 11:00 am calendar, was called, at 12:00 pm, Plaintiff was not present, nor represented, by counsel.

Attorney Caston stated she does not know why Plaintiff is not present, as counsel has received documents, from Plaintiff, which show she is aware, of today's hearing.

**COURT ORDERED, EVIDENTIARY HEARING, set for 3/6/17, STANDS.**

**FUTURE HEARINGS:** March 06, 2017 9:00 AM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.

March 06, 2017 9:00 AM Status Check  
Courtroom 04  
Hughes, Rena G.

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DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

March 06, 2017

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

March 06, 2017      9:00 AM      All Pending Motions

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Marilyn Caston, Attorney, present  
present

Welthy Silva, Plaintiff, Counter Defendant,      Pro Se  
present

JOURNAL ENTRIES
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- MINORS THERAPY AND HOW TIMESHARE IS GOING...MODIFICATION OF CUSTODY, ATTY  
FEES AND HELOC - MAKE ORDERS PERMANENT

HOUSEKEEPING ISSUES.

Plaintiff stated she thought today's was only a status check.

Court discussed the Order, from 10/11/16, stating today's hearing would be a status check and  
Evidentiary Hearing. Counsel presented Plaintiff did not appear, at the calendar call.

Plaintiff objected to moving forward, with the Evidentiary Hearing and refused to testify. Further,  
Plaintiff stated she was "just going to sit there and be quiet".

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Court heard testimony, from Defendant. Defendant sworn and testified.

CLOSING STATEMENTS.

COURT ORDERED, matter TAKEN UNDER ADVISEMENT. Court shall ISSUE a WRITTEN DECISION.

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D-12-467820-D

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****May 08, 2017**

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

May 08, 2017      2:00 PM      Minute Order

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Marilyn Caston, Attorney, not present  
not presentWelthy Silva, Plaintiff, Counter Defendant, not      Pro Se  
present

<b>JOURNAL ENTRIES</b>
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- Per Judge Hughes

After conferring with the Presiding and Chief Judges, this Court believes that in the interest of justice and to avoid the appearance of impropriety (Canon 1.2) that the Court recuse from this case. This finding is consistent with Millen v. Eighth Judicial Dist. Ct., 122 Nev. 1245, 1253, 148 P.3d 694, 700 (2006) ( [A] judge has a general duty to sit, unless a judicial canon, statute, or rule requires the judge s disqualification. )

The Court will not be ruling on the pending matters, including the Defendant s Motion to Modify Child Custody and to resolve HELOC issue heard March 6, 2017 and under submission, and Plaintiff s Emergency Motion for an Order to Show Cause and Related Relief set on the in chambers calendar on April 19, 2017.

PRINT DATE:	05/08/2017	Page 1 of 2	Minutes Date:	May 08, 2017
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The Clerk of the Court shall randomly reassign this case within the Family Court Division, Eighth Judicial District Court.

Clerk's note, a copy, of today's minute order was mailed, to Plaintiff, at the address, on file and placed, in counsel's folder, at Family Court.

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D-12-467820-D

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****July 11, 2017**

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

July 11, 2017      3:00 PM      All Pending Motions

**HEARD BY:** Pomrenze, Sandra**COURTROOM:** Courtroom 10**COURT CLERK:** Carol Critchett**PARTIES:**

Annie Silva, Subject Minor, not present  
Rogerio Silva, Defendant, Counter Claimant,      Marilyn Caston, Attorney, present  
present  
Welthy Silva, Plaintiff, Counter Defendant,      Pro Se  
present

<b>JOURNAL ENTRIES</b>
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- PLTF'S EMERGENCY MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND RELATED RELIEF DEFT'S OPPOSITION TO PLTF'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND RELATED RELIEF PLTF'S REPLY TO DEFT'S OPPOSITION TO PLTF'S MOTION TO SHOW CAUSE REGARDING CONTEMPT AND OTHER RELATED RELIEF PLTF'S MOTION TO VACATE AN ORDER APPOINTING PARENTING COORDINATOR OR, IN THE ALTERNATIVE, OBJECTION TO AN ORDER APPOINTING SPECIAL MASTER

Plaintiff sworn and testified.

Court noted Parties agreed Parenting Coordinator would not be necessary. Upon inquiry, Plaintiff stated she does not agree to sell marital residence. Court noted Plaintiff and counsel both agreed that Plaintiff has been exercising her visitation schedule dispelling allegation stating otherwise.

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Attorney Caston stated concerns in regards to Plaintiff's ability to follow court orders. Court admonished Plaintiff about the importance of following orders of Court.

Further discussion.

COURT ORDERED,

Temporarily, Parties shall have JOINT LEGAL CUSTODY of minor child.

Temporarily, Parties shall have JOINT PHYSICAL CUSTODY of minor child.

Parties CUSTODIAL TIMESHARE shall be one (1) week on one (1) week off with minor child, starting Sunday, 7/16/17, at 6:00 pm. Exchanges shall take place at Starbucks. Plaintiff shall have the first week in custodial timeshare.

Minor child shall REMAIN enrolled in Public School.

Minor child's ballet lessons shall only take place during Plaintiff's timeshare.

Parties Marital Residence shall be listed for sell within the next 30 days. Parties shall execute any and all appropriate listing agreements.

Plaintiff shall be AWARDED total EQUITY in Marital Residence unless Defendant is able to provide documentation of \$28,000.00 payment to Lender. Parties shall EQUALLY divide EQUITY providing Defendant submits documentation of \$28,000.00 payment. Defendant shall submit documentation to Plaintiff and EXHIBIT file documentation with the next 10 judicial days.

Both Parties CHILD SUPPORT OBLIGATION shall be SUSPENDED and DEFERRED to Evidentiary Hearing.

Plaintiff's Motion to Vacate an Order to Appoint Parenting Coordinator shall be GRANTED.

All other Motions shall be DEFERRED to Evidentiary Hearing.

Request for CHILD INTERVIEW shall be DENIED.

Evidentiary Hearing calendared for 9/14/17 and 9/15/17.

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D-12-467820-D

Briefs shall be filed by 9/7/17 by the end of business day.

Discovery shall be CLOSED 8/31/17 by end of business day.

Attorney Caston shall prepare an order from today's hearing.

9/14/17 1:30 PM EVIDENTIARY HEARING: Day 1

9/15/17 9:30 AM EVIDENTIARY HEARING: Day 2

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

September 14, 2017 1:30 PM Evidentiary Hearing  
Pomrenze, Sandra  
Courtroom 10  
Critchett, Carol

September 15, 2017 9:30 AM Evidentiary Hearing  
Pomrenze, Sandra  
Courtroom 10  
Critchett, Carol

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DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

October 18, 2017

D-12-467820-D

Welthy Silva, Plaintiff

vs.

Rogerio Silva, Defendant.

October 18, 2017

10:00 AM

All Pending Motions

HEARD BY: Pomrenze, Sandra

COURTROOM: Courtroom 10

COURT CLERK: Carol Critchett

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,  
present

Marilyn Caston, Attorney, present

Welthy Silva, Plaintiff, Counter Defendant,  
present

Pro Se

## JOURNAL ENTRIES

- DEFT'S MOTION FOR AN ORDER TO SHOW CAUSE AND TO MODIFY CUSTODY...PLTF'S  
OPPOSITION AND COUNTERMOTION TO STAY THE ORDER REQUIRING SALE OF MARITAL  
RESIDENCE PENDING APPEAL; FOR SANCTIONS AND FOR ATTORNEY'S FEES AND COSTS

Jason Onello, bar number 14411, present with Plaintiff.

Court noted this matter was originally on it's uncontested calendar. Discussion regarding the Court's lack of jurisdiction to address a modification of custody and there was a sufficient basis for an Order To Show Cause (OSC). Court advised counsel the appeal did not divest this Court of authority to address the OSC issues. Court inquired what amount for a bond Plaintiff could post to stay the sale of the marital residence. Counsel advised Plaintiff was not prepared to post a bond. Court advised it could not stay the sale then and it had limited ability as long as the matter was on appeal. Argument and discussion regarding a possible dismissal of the appeal, the issues with the backlog of cases in the Supreme Court and the Court's lack of information regarding the status of the appeal. Argument and

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D-12-467820-D

discussion regarding the Court's inability to address the bond and the custody issues and the parties' need to co-parent. Court advised counsel of the issues for the Order To Show Cause and it was deferring on the co-parenting issues due to the appeal. Discussion regarding a child's need of a good education. Court admonished the parties it would not tolerate the child being taken out of school again unless she is ill or there was a good reason with agreement from the other parent. Argument and discussion regarding Plaintiff's removing the child from school for an extra-curricular activity and the parties' need to agree on any extra-curricular activities for the child. Court advised the parties should not be making unilateral decisions. Argument and discussion regarding the status of Plaintiff's OSC and the Evidentiary Hearing. Court advised those hearings were taking off calendar and there were no orders. Discussion regarding the Court's inability to address the Evidentiary Hearing until after the appeal. Court instructed counsel to put those matters back on calendar once the appeal has been dismissed or resolved. Argument and discussion regarding the child testifying at trial, the rules for the child's testimony and that the Court does not interview children. Argument and discussion regarding hearing both parties' OSCS together and the procedures for the OSC hearing and the evidentiary hearing if the appeal is dismissed. Discussion regarding the effect of parental conflict on children, the case's need to be ended, the need for resolution of the issues with the marital residence, Plaintiff's income and inability to qualify to refinance the house, Plaintiff buying out Defendant's interest in the house and the parties' need to "get past" their issues and co-parent. Argument and discussion regarding the Decree Of Divorce provisions regarding Defendant's equity in the house, giving Defendant his equity in case or an offset, child support and the holiday visitation schedule.

## COURT ORDERED:

1. An ORDER TO SHOW CAUSE (OSC) is calendared for January 19, 2018. If the APPEAL has NOT BEEN DISMISSED the OSC shall be HEARD at 1:30 P.M. If the APPEAL IS DISMISSED the EVIDENTIARY HEARING shall be RE-CALENDARED WITH the OSC and BOTH MATTERS shall be HEARD beginning at 9:30 A.M.
2. Defendant shall PREPARE a DETAILED OSC by Friday, November 20, 2017. Upon FILING of the OSC and service Plaintiff shall have 10 days to OBJECT to the OSC.
3. The CHILD shall be ALLOWED to TESTIFY at the time of the EVIDENTIARY HEARING and the OSC PROVIDED some STRICT RULES are ADHERED TO. Both parties will be OUTSIDE of the COURTROOM while the child is TESTIFYING SO LONG AS BOTH PARTIES STILL HAVE their ATTORNEY'S. If either party DROPS their ATTORNEY the child will NOT be ALLOWED to TESTIFY.
4. If the APPEAL is DISMISSED and the hearings for Plaintiff's OSC and the EVIDENTIARY HEARING go forward

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Plaintiff shall have until November 17, 2017 to SUBMIT her BRIEF for her OSC.

5. If the appeal is dismissed and the hearings go forward PREHEARING BRIEFS citing applicable law and applying the law to the facts in the case shall be EXCHANGED and FILED, with COURTESY COPIES delivered to chambers, NO LATER THAN January 12, 2018 at the close of the business day (5:00 P.M.). Briefs may be e-mailed or faxed to chambers if less than thirty pages. If the Briefs are more than 30 pages counsel shall Courtesy Copy a HARD COPY to the Court's CHAMBERS. In the event either of the parties do not timely submit their brief, the non-complying party will be subject to monetary sanctions. The TRIAL EXHIBITS SHALL NOT BE ATTACHED TO THE BRIEF THAT IS FILED.

6. DISCOVERY shall CLOSE on January 05, 2018 at the close of the business day (5:00 P.M.). WRITTEN DISCOVERY shall be SERVED ONE MONTH and ONE WEEK prior to the close of Discovery and in a fashion that allows the other party 30 DAYS to RESPOND. There shall be no written Discovery requests, no responses required and no depositions taken after the Discovery closing date.

7. If Plaintiff has someone who will BUY OUT Defendant's INTEREST in the house the BUY OUT shall be DONE AS SOON AS POSSIBLE and Defendant's OSC shall be TAKEN OFF CALENDAR. Defendant shall COOPERATE with EXECUTION of whatever CONVEYANCES are NEEDED for the lender's requirements.

8. Counsel shall CONFER and CALCULATE the CHILD SUPPORT then SUBMIT a STIPULATION AND ORDER.

Ms. Caston shall PREPARE Defendant's specific ORDER TO SHOW CAUSE as well as the SCHEDULING ORDER.

Mr. Onello shall REVIEW the ORDER then COUNTERSIGN.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

January 19, 2018 1:30 PM Order to Show Cause  
Pomrenze, Sandra  
Courtroom 10  
Critchett, Carol

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## Keisha Weiford, MS, MFT

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8440 W. Lake Mead Blvd., Suite 206, Las Vegas, NV 89128 • (702) 395-8417 • Fax (702) 242-4429**FAX TRANSMISSION**

June 29, 2015

The Honorable Rena G. Hughes  
Department J  
Eighth Judicial District Court  
Family Division  
601 N. Pecos Road  
Las Vegas, Nevada 89101-2408

RE: Parent Reunification Update Letter  
Silva v Silva  
CASE # D-12467820-D

Dear Judge Hughes:

I am writing this letter as an update to the above mentioned case that was referred to my office for Parent Reunification on May 26, 2015. I do not usually send a letter to the Court so early in the process but I wanted the Court to be aware of what has taken place thus far in the reunification process.

Mr. Silva contacted our office on May 28, 2015 and we received his initial paperwork and partial payment on June 8, 2015. On June 16, 2015 I had my first individual appointment with Mr. Silva (Dad) and I had my first initial appointment with Ms. Silva (Mom) and their daughter Annie Silva (Age 11 ). We immediately went about scheduling the first parent-child meeting on a date that fit everybody's schedule which was Thursday, July 2<sup>nd</sup> at 1pm.

**Annie Silva**

Annie is a bright and articulate young lady. She is a petite young lady with a giant personality. She wants to be an actress/performer one day. She appears much younger than her age, and speaks way beyond her years. She immediately reported to me upon entering into my office that she did not want to see her father. I asked her if she knew why she was there to see me and she said yes to be reunified, and she immediately informed me that she did not want to be reunified. She defined reunified as to bring it back together. I informed her that we were going to take some time to get to know each other and I wanted her to tell me about herself and all her relationships. Annie did take some time to

tell me more about herself. She reported that she is home schooled, using an "unschooling curriculum". She shared a typical day of home-schooling. She reported that she asked to be home schooled because "it (school) wasn't working out for me" She reported being frustrated all the time. She reported that she wanted different materials and a different way. She reported that she enjoys being home schooled. She reported that she would like to go to Las Vegas Academy for high school and she would probably need to start an online school in order to show grades for Las Vegas Academy. She reported that she has a lot of interests, such as making jewelry, hula hooping, Pirate Festival, shows on First Friday, and she wants to go to Hollywood and have a career in movies and television.

Annie wanted to share why she felt this way about her Dad. Annie's tone was irritated and angry at times when she described the incidents that brought her to the decision that she did not want to spend weekends with her Dad. Annie reported that the most recent incident occurred when Dad was recklessly driving and ran over the trash can at her home with Mom. She reported that during this incident that Dad took the phone out of her hand when she was talking to Mom and hung it up and screamed "I hate her", "I hate her". Annie reported that Mom did not know that Dad was going to be at the house and he got mad at her for no reason and broke their garbage can. Annie is very protective over her mother.

When Annie was asked about the divorce, Annie reported that she was about 8 or 9 years old. She reported that her Dad never took care of her. When he did take care of her when he was home, it was "quite strange", she reported. She reported that he was never a part of her life at all and they did not have fun together. She reported that he would just sit on the couch. She reported that when they lived together that she would reach out to her Dad, but he would shut me out. She reported that he would hang out with his friends all the time or work. She reported that it was nice not having him around because he would yell, scream or throw things. She reported that he did not actually talk to us. She reported that anything would tick Dad off. Annie reported that she suggested the divorce to Mom. Annie reported that she said, "Mom I don't want to live like this anymore. Please divorce him."

Annie reported that after the divorce that she was unhappy. She reported that she did not realize that she would have to go with him. She reported that she wanted to be able to go when she wanted to go, but she did not like being on a schedule. She reported that she was very unhappy with the set schedule. She reported that her Dad would not let her have sleepovers. She reported that her Dad would say, "It was my time, and you can't have friends over."

Annie reported that she did not like her Dad's new place. She reported that it was creepy and she never got a good night sleep. She reported that it was a like a zoo over there because he lived with his girlfriend and her three children. She reported that his girlfriend was annoying, clingy and needy person. She reported that Dad's girlfriend could not do anything by herself and was very high maintenance. She really did not like when his girlfriend would "butt her nose" into things that were none of her business.

Annie reported that she stopped caring for her Dad the last weekend she was there. She reported that he was just not trying. She reported that he has nothing to offer. When Annie was asked what could Dad do to help make things better, she said that if Dad actually communicated with her mother. She wanted Dad to learn from Mom how to be a better father to Annie. Annie does not believe that Dad would change. She reported that he has a "huge fragile ego" and he would never get help. Annie stated, "Why can't he just go back to Brazil".

#### Rogério Silva (Dad)

Dad met with me for approximately an hour to discuss what has been happening in his relationship with his co-parent (Wilthy) and his daughter (Annie). Dad reported that he has been fighting for reunification for months. He reported that he has not seen his daughter in 4 months. Dad is reported that he is Brazilian and Japanese, and he grew up in Sao Paulo, Brazil. He reported that his mother is Japanese and had an Asian upbringing. He reported that his parents did not have a good childhood. He reported that he did not have it as hard as his parents had it growing up. He reports that he feels it is his responsibility to teach his kids the fundamentals of being a healthy adult. Dad became quite animated when he was explaining the hierarchy of parents and children.

Dad reports that he is not a drug user, or an alcoholic, and he does not beat his children. Dad reported that he has a 22 year old daughter (Paola) that he has recently reunited with on Facebook. He reported that Paola's mother kept her away from him.

He reported that he has lost his patience with his children in the past. He reports that he speaks his mind and is pretty high strung. Dad reports that there has been a lot of miscommunication. Dad does not understand why his daughter does not want to see him. Dad believes that Mom is alienating Annie from Dad.

Dad reported that he is also concerned about Annie's home-schooling.

#### Wilthy Silva (Mom)

The first thing Mom stated when asked how she was doing was "I am free and happy". Mom owns a little ballet school downtown for the last six years. Mom reported that the marriage lasted for 14 years. She reported that in the beginning it was good, but Dad changed over time. She reported that she had to be really careful over what she would say and do in the marriage. She reported that Dad was like Jekyll & Hyde. There were some good days but it would switch to angry and mean. Mom reported that after Annie was born, Dad's anger kept getting worse. Mom reported that Annie was extremely attached to her after the age of 2. She reported that she felt stuck in the middle because even in the marriage Annie did not want to stay alone with her Dad. Mom reported that it's like being "mama in the middle". She reported that she always tried to keep both sides happy.



Mom reported that when she was going through the divorce she came across Narcissistic Personality Disorder during her research, and she believes that Dad (Rogerio) suffers from Narcissistic Personality Disorder. Mom reported that she was in support of her daughter asserting that she does not want to go with her Dad. Mom was interested to know if her daughter had told me a few stories and they both made a comment that it would be easier (better) if Dad would just leave and go to Brazil.

It is important to note that Mom reported that she would like for Annie and her father to have a better relationship. She reports that is why she stayed so long in the marriage.

### Initial Impressions

We just got started in the reunification process. Both parties were informed that I would meet with each party individually and then we would begin the parent-child meetings. I reiterated that fact after my first session with Dad on June 16, 2015, he called the office to ask me a few questions and I told him that I was meeting with Mom and Annie in two days and then we would go from there. He also provided me a tentative date that he was available for the first parent-child meeting. It is typical for parents to be anxious especially when they have not had contact with their child for a significant amount of time.

I believe that everyone (Dad, Mom, and Annie) thought that once they told me their story that it would be a simple process of things going back to their idea of normal. Dad believed that he should resume his normal time share arrangement and Annie thought she would never have to see her father again. All parties were informed that they would have to work through the process and we would take it step by step, and everyone agreed. Annie was not happy to hear that she would have to meet with Dad in my office. In fact, Mom was uncomfortable reiterating this to Annie and asked me to explain it to her again which I did.

It is my understanding that Dad went to pick up Annie on Father's Day and the police got involved. Dad reported to my office that Mom stated that I said that she did not have to send Annie with Dad. What I said to everybody is that reunification is a process and we completed the first step of the process and we will be pursuing the second part of the process. The next step will be the parent-child meeting. I emailed Dad to let him know this again, but I have not heard back from him.

I am unable to determine the true nature of Dad's relationship with his daughter because I have yet to observe it. Based on everyone's reports there are issues here that need to be resolved. Even if Annie's reports are exaggerated or are not her own, she believes that her relationship with her father is unhealthy and that is worth exploring. Dad has even reported that his language has been inappropriate at times and that he has lost his temper. So, some of the stories do coincide.

I am also under the impression that part of Annie's decision to not have a relationship with her Dad is to protect her mother which also needs exploration. It seems like Mom and Annie's relationship is enmeshed. They both reported that they were very close, however, when Annie spoke about her relationship with her Dad it was very much intertwined with Mom's relationship with Dad. As part of the reunification, we would work on separating Annie's relationship from her Mom's relationship with Dad.

Recommendations

1. Dad will need to go through the process of reunification with his daughter.
2. Dad may need to learn parenting skills that are a better fit for his relationship with his daughter.
3. Dad and daughter learn and practice new communication skills.
4. Dad and daughter learn to reconnect and learn to maintain their connection.
5. All parties to be patient with the process, relationship rebuilding and restructuring does take time.
6. Mom support the reunification process and participate in it.
7. Both parents commit to learning new co-parent and communication skills.
8. Both parents commit to working on their own issues and any issues identified during the reunification process. The problems presented during the initial assessment did not come overnight and both parents will need to work daily on the family dynamics if there will be any progress made in this family.

If I could be of further assistance to the Court, please do not hesitate to contact me at (702) 395-8417. I appreciate the referral.

Respectfully submitted,

Keisha Weiford  
Licensed Marriage & Family Therapist

## Keisha Weiford, MS, MFT

8440 W. Lake Mead Blvd., Suite 206, Las Vegas, NV 89128 • (702) 395-8417 • Fax (702) 242-4429

### FAX TRANSMISSION

July 8, 2015

The Honorable Rena G. Hughes  
Department J  
Eighth Judicial District Court  
Family Division  
601 N. Pecos Road  
Las Vegas, Nevada 89101-2408

RE: Parent Reunification Update Letter #2  
Silva v Silva  
CASE # D-12467820-D

Dear Judge Hughes:

I am writing this letter as an update to the above mentioned case that was referred to my office for Parent Reunification on May 26, 2015. A few things have happened since my last letter on June 29, 2015 that I wanted the Court to be aware of.

### First Conjoint Appointment

On Thursday, July 2, 2015 Rogerio Silva (Dad) and Annie Silva had a conjoint appointment scheduled. The goal of this first appointment was to observe the dynamics of Dad and Annie and also understand what problems are present in the parent-child relationship. Unfortunately the conjoint appointment never happened. Dad did show up for the appointment, however, Mom called 15 to 20 minutes prior to the appointment stating that Annie was too distraught and stressed to be able to make the appointment. Mom did not want to make Annie come based on the way that she was feeling, she did not feel that it would be in Annie's best interest. I attempted to reassure Mom that Annie would be safe, and requested that she please bring her to the appointment. I communicated to Mom that I am unable to make any assessments if I cannot observe the dynamics between Dad and Annie. Mom did not want to further distress Annie. Mom asked me to speak with Annie. I spoke with Annie and I could tell that she was upset and she explained to me that she did not feel well and did not want to come. I tried to calm Annie over the phone, but she did not calm down. Interestingly she calmed down immediately after I stopped trying to reassure, and I just said okay. Her tears stopped and she no longer sounded

anxious or upset. I did speak with Mom again at the end of that conversation and she again reiterated that Annie is too stressed, she does not want to meet with her father, and she does not have this problem with anyone else in her life. She also made the comment that I obviously did not make her daughter comfortable enough and that also contributed to why she did not want to come to the appointment.

It is important to note that Mom was worried about our July 2<sup>nd</sup> appointment a few days prior. She contacted our office to find out what should she do if Annie did not want to come to the appointment or was unwilling to get in the car. Mom also wanted to know if she could tell Annie that she would be able to leave the office if Dad started to lie in the session. She wanted to give Annie words to use if she was feeling certain ways. I requested that Mom allow for Annie's interactions with her Dad to be organic. I also requested that she not tell Annie that she can leave the office. I reassured her that Annie would be safe and that she would be okay in my office and that it was indeed a safe environment. Mom again agreed to bring her to the appointment.

Dad was extremely disappointed that Annie did not show for the scheduled appointment. He did however stay for the entire appointment. It gave us an opportunity to discuss some of the issues that I did hear from his daughter. Dad reported that he really has no idea where all this anger and hostility from Annie is coming from. He reported that the first scheduled visitation weekend after the divorce, he had to literally pick up Annie to bring her to car. After that they did not have any problems. He would pick her up and they would spend time together. He reported that she never communicated that she did not want to come on the weekends, until he received a note from Annie four months ago. Dad also reported that the only other time that they had a problem is when he started to question the home-schooling. He reported that Annie was upset when he tested her. Dad reported that the testing went horribly wrong. Dad reported Annie said that she did not want to come to his home after he tested her. Dad did not want to cause any division between them, so he assured Annie that he will no longer test her. Dad reported that he still wants her to be tested to make sure that she is on grade level but he will not be doing the testing. Dad reports that after that everything went back to normal. Dad reports that Mom still has not been compliant with the Court order to get Annie tested.

Dad paints a very different picture of his interactions with Annie. He showed me pictures of Annie being a very happy girl during her time with Dad, his girlfriend, and his girlfriend's daughter. He reported that he was not abusive to her, that he did not yell, scream, or ever hit his daughter. He does report that he did yell, and scream at his ex-wife Welthy when they were in the marriage. He reports, that is the reason why he knew that the marriage had to end because it did get so bad between the two of them. He reports that Mom still can push his buttons. Dad reports that the times that he responded angrily was when it was directed toward Mom, not at Annie. Dad reports that he regrets those moments when he acted badly.

Dad reports that he loves and misses his daughter quite a bit. Dad reported that he is willing to sit and listen to Annie. He just wants to see her, and make sure that she is okay.

Individual Session with Annie - July 8, 2015

I contacted Mom again via email on July 6, 2015. I requested that she try and bring Annie again to the office to meet with her Dad. Mom reported to my assistant that when she read my email to Annie, that Annie was still not willing to meet with her Dad because she did not want to be around his negative energy. Annie did agree to meet with me again individually.

Annie definitely displayed irritation with me at our meeting today. She reported that she told me at the beginning of our previous session that she did not want to be reunified with her Dad. I asked her if Mom explained to her that even though she told me that I would still need to meet with her and Dad. Annie reported that her mother did not explain that to her because her mother did not understand why I could not take her word only. Annie reported to me that she was not joking, and did not want to be reunified. She reported that anyone that knows her is aware that she does not give second chances and she has already given her Dad too many chances. She reported that the only reason that her Dad is pushing for this reunification is because he likes drama.

When I asked Annie why she did not come to the session scheduled with her Dad, she reported that she was very stressed. She reported that she started getting sick a couple of days before that appointment. She reported that when they were about to leave for the appointment, she could not stand up. She reported that her Mom said that it was stress and that she did not have to go. She reported that 10 minutes later her headache was gone and she was feeling fine.

Initial Observations

I believe Annie when she says "Dad is not good at showing me his emotions". I also believe that Dad behaved badly in the marriage, it sounded like he was distant and did not control his anger and frustration well. However, I am having a hard time distinguishing what were the problems in the marriage and what are the problems in the parent-child relationship. Annie is not very clear when she talks about her relationship with her father. It seems very much intertwined with Mom's relationship with Dad. I am concerned with the possible enmeshment that Annie and Mom might have.

Annie did report that she learned to hide her feelings from Dad and she did it very well. Annie also reported that Dad would spend most of his time on the phone, and on the couch. She reported that Dad did not listen to her words. She also reported that he did not throw fits like he did when they all lived together, but he did throw fits differently. Whenever Annie was asked to explain further, she would always use a hypothetical but could not give specific examples of what her Dad was doing to make her feel that way currently.

Annie reported that her Dad did not take her places most of the time. When she was questioned again, she would report that he would do things once in awhile like go to his girlfriend's house, or go to the dog park but otherwise she was quite bored.

Annie reported that she asked her Dad to change. I asked Annie to please explain what she wanted her Dad to change, she said that she does not know what she asked him to do but she does know that he did not do it.

Annie is a very strong willed young lady, articulate and quite adult in many ways. So it was curious when she was not able to specifically articulate what her concerns were with Dad. Annie's concerns about Dad were more global in nature. The message that I received loud and clear is that Annie does not think that she has a good Dad, she tried long enough to have a relationship with him, and now she is done and refuses to see him again.

#### Recommendations

1. My recommendations from June 29<sup>th</sup> still apply.
2. Children can salvage a broken relationship with a parent and there is nothing that I heard from Annie, Mom or Dad that demonstrates that this relationship cannot be salvaged.
3. Mom needs to get behind the reunification. Mom needs to share in the financial responsibility. Parents who are financially responsible typically do not miss appointments and can be more invested in the process.
4. Annie is reporting anxiety and stress. An individual therapist for Annie would be helpful for her as she works on her relationship with Dad.
5. I recommend that Annie and Dad meet weekly with a reunification therapist for at least three months, and then that therapist can give a better picture of the dynamics between Annie and Dad.

If I could be of further assistance to the Court, please do not hesitate to contact me at (702) 395-8417. I appreciate the referral.

Respectfully submitted,



Keisha Weiford  
Licensed Marriage & Family Therapist



**EIGHTH JUDICIAL DISTRICT COURT**

FAMILY DIVISION  
FAMILY COURTS & SERVICES CENTER  
601 NORTH PECOS ROAD  
LAS VEGAS, NEVADA 89101-2408

**RENA G. HUGHES**  
DISTRICT JUDGE

DEPARTMENT J  
(702) 455-1882  
FAX: (702) 676-1475

July 15, 2015

Keisha Weiford, MS, MFT  
8440 W. Lake Mead Blvd., Ste. 206  
Las Vegas, NV 89128  
**FAX NUMBER (702) 242-4429**

RE: Silva v. Silva  
Case No. D-12-467820-D  
Parent Reunification

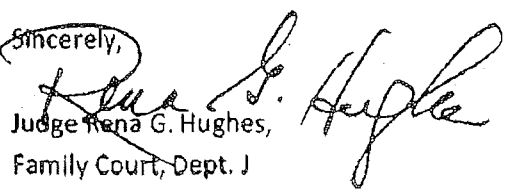
Dear Ms. Weiford:

Thank you for conducting the telephonic conference this afternoon regarding the above mentioned matter.

Please advise my office in writing if either party misses an appointment with your office or does not pay your office when they are expected to do so.

There is a status check scheduled for August 25, 2015 at 10:00 a.m. regarding the Parent-Child Reunification. Please provide me with your report on or before August 21, 2015. Thank you for your cooperation and attention in this matter.

Sincerely,

  
Judge Rena G. Hughes,  
Family Court, Dept. J

Cc: file  
Riana Durrett, Esq.  
Christopher Tilman, Esq.

FUS

## Keisha Weiford, MS, MFT

8440 W. Lake Mead Blvd., Suite 206, Las Vegas, NV 89128 • (702) 395-8417 • Fax (702) 242-4429

FAX TRANSMISSION

August 5, 2015

The Honorable Rena G. Hughes  
Department J  
Eighth Judicial District Court  
Family Division  
601 N. Pecos Road  
Las Vegas, Nevada 89101-2408

Post-It® Fax Note	7671	Date	8/7/15	# of pages	1
To	J. Rena Hughes	From	Keisha Weiford, MFT		
Co. Dept.	J	Co.			
Phone #	702-455-1884	Phone #	702-395-6417		
Fax #	702-676-1475	Fax #	702-242-4429		

RE: Parent Reunification Update Letter  
Silva v Silva  
CASE # D-12467820-D

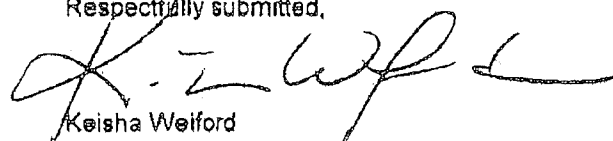
Dear Judge Hughes:

I am writing to inform the Court that our first scheduled Reunification appointment, since the last court date, was today August 5, 2015 at 1pm. August 5, 2015 was the first date that worked for Mom and Annie's schedule.

Dad was the first to arrive to the appointment. He paid all fees in full. Mom called the office at 1:05pm to let the office know that she was in the parking lot, and Annie would not come out of the car. I went downstairs to the car to speak with Mom and Annie. I was with them for about 30 minutes and spoke with both of them, and they did not come out of the car. I told Mom and Annie that we would be waiting for them in the office. Mom called the office shortly after and reported that she was not able to get Annie to come upstairs and left. I spent the remaining time with Dad. I am canceling the remaining appointments scheduled for August 27<sup>th</sup>, September 3<sup>rd</sup>, and September 10<sup>th</sup>, until we get further direction from the Court.

If I could be of further assistance to the Court, please do not hesitate to contact me at (702) 395-8417. I appreciate the referral.

Respectfully submitted,



Keisha Weiford

Licensed Marriage &amp; Family Therapist



## *Christopher R. Tilman, Chtd.*

A Professional Law Corporation  
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Kathy Gentry, Firm Administrator/Paralegal  
Christie Fivella, Legal Assistant  
Laureen Johnson, Legal Assistant

E-MAILS: CRT@ChristopherTilman.com; Kathy@ChristopherTilman.com; Christie@ChristopherTilman.com;  
Laureen@ChristopherTilman.com

August 28, 2015

VIA FAX TO: 702-242-4429

Keisha Wieford  
8440 W. Lake Mead Blvd. #206  
Las Vegas, NV 89128

Re: Welthy Silva v. Rogerio Silva D12-467820

Dear Ms. Wieford:

As you may know, I am attorney of record for Welthy Silva. This letter is being sent at the Court's direction and a copy is being sent to the Judge as well as Riana Durrett, Esq., who represents Rogerio Silva. The Court ordered you to conduct three (3) reunification sessions between the child, Annie, and her father. We are aware that Annie refused to get out of the vehicle for the first session, but we do not understand why the other sessions were canceled? Please contact the parents and re-schedule the appointments. The Court would like you to attempt the three more sessions. It remains my hope that Annie will cooperate and the sessions can begin.

Thank you for your time and attention.

Sincerely,

  
Christopher R. Tilman, Esq.

CRT/kg

cc: The Honorable Rena Hughes, via fax to: 702-676-1475  
Riana Durrett, Esq., via fax to: 702-458-8508

# *Christopher R. Tilman, Chtd.*

A Professional Law Corporation  
1211 SOUTH MARYLAND PARKWAY  
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Laureen@ChristopherTilman.com

## FAX COVER SHEET

DATE: August 28, 2015  
TO: Honorable Rena Hughes  
ATTN:  
NUMBER: 702-676-1475  
RE: Silva; D12-467820  
NOTE: Letter attached. Thank you.  
NO. OF PAGES: 2  
(Including cover sheet)

IF YOU DO NOT RECEIVE ALL PAGES, OR IF THIS FACSIMILE IS ILLEGIBLE,  
PLEASE CONTACT Kathy IMMEDIATELY AT (702) 214-4214.

This facsimile contains confidential information which may be legally privileged and which is intended only for the use of the addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the above address via United States Postal Service. Thank you.

## Keisha Weiford, MS, MFT

8440 W Lake Mead Blvd., Suite 206, Las Vegas, NV 89128 • (702) 395-8417 • Fax (702) 242-4429

September 2, 2015

VIA EMAIL

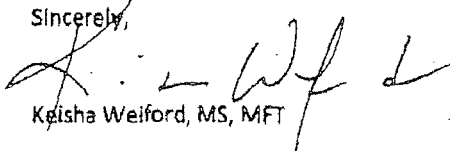
Re: Welthy Silva v. Rogerio Silva D12-467820

Dear Ms. Silva,

Thank you for confirming your appointments for September 9, 17, 24, 2015. We also received your message that you are unable to pay for reunification therapy as ordered by the Court. We are happy to provide these services, however, payment is due at the time of service. There are situations when my office will make payment arrangements for fees. Unfortunately, payment arrangements at this time will not be helpful, since these services are now being provided on the per session basis and our payment arrangements start higher than the per session fee.

Please contact our office to confirm that you will be following the Court order regarding payment for services and we look forward to seeing you on September 9, 2015 at 1:30pm.

Sincerely,



Keisha Weiford, MS, MFT

cc: The Honorable Rena Hughes, via fax to: 702-676-1475  
Christopher R. Tilman, Esq., via fax to: 702-214-4208  
Riana Durrett, Esq., via fax to: 702-458-8508

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\*Reza Athari

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Admitted in Nevada

Admitted in Nevada & Utah

Admitted in Nevada & New York

Admitted in Nevada & California

Admitted in Utah

Admitted in New Jersey

September 9, 2015

Keisha Weiford

8440 W. Lake Mead Blvd., Suite 206

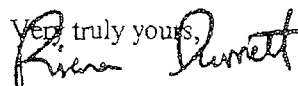
Las Vegas, NV 89128

Dear Keisha Weiford:

Please be advised that this firm represented Mr. Rogerio Silva. On August 25, 2015, the Judge requested an invoice on the payments that have been paid so far, and what those amounts go towards to. Please provide a copy of the invoice to my office as soon as possible.

Also, Mr. Silva has inquired as to which parenting class you would recommend he takes pursuant to your previous recommendations, thus which the court ordered. Please also provide that information to my office when it is available.

Should you have any questions do not hesitate to contact our office. Thank you for your cooperation in the matter.

Very truly yours,  


Riana Durrett, Esq.

cc: The Honorable Rena Hughes, via United States Postal Service  
Christopher R. Tilman, Esq., via United States Postal Service

APP855

R0166

KEISHA WEIFORD MS, MFT  
8440 W. Lake Mead Blvd. #206  
LAS VEGAS, NEVADA 89128  
O: (702) 395-8417  
F: (702) 242-4429

FACSIMILE TRANSMISSION

DATE: 9/15/2015  
TO: Dept. J - Honorable Rena Hughes  
FAX #: 702-676-1475  
NO. of PAGES: 2 (including cover sheet)  
FROM: Nicolle Polit, Assistant to  
Keisha Weiford MS, MFT

RE: CASE # D-12-467820-D

Comments: Accounting Request from Ms. Welfords' office.

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This transmission contains confidential information. If you have received this in error, please call (702) 395-8417. Thank you.

\*\*\*\*\*

RESPONDENT EXHIBIT Page 000168  
78a424429 7b78b81475 P.22

R0168

**Keisha Weiford, MS, MFT**  
**Licensed Marriage & Family Therapist**  
8440 W. Lake Mead Blvd., Suite 206  
Las Vegas, Nevada 89128  
702-395-8417 Office 702-334-2113 Cell  
702-242-4429 Fax

October 8, 2015

Via Email

Re: Welthy Silva v. Rogerio Silva D-12-467820

Rogerio Silva  
3950 Edgemoor Way  
Las Vegas, Nevada

Welthy Silva  
1433 Cottonwood Place  
Las Vegas, Nevada 89104

Dear Co-Parents:

The Court has requested that I conduct 3 reunification sessions with Annie and Mr. Silva (Dad). We were able to accomplish that. I thank both parents for your participation. I would like to continue building on the work we have already done in those 3 sessions before the next Court date, if that is acceptable by both parties.

However, before we resume reunification sessions with Dad and Annie, I would like to meet with Rogerio Silva and Welthy Silva individually to discuss their individual parenting styles and ways they can continue to help the process. Both parents would be responsible for the cost of their individual sessions. We can start as early as the week of Monday, October 12, 2015.

I would also like to get a release to speak with Annie's therapist so that we could work together to ensure that we are all on the same page. Nicolle, my assistant, will send the release to be signed so that I can talk with the therapist.

If you have any questions, please feel free to contact me. I look forward to hearing from you soon.

Sincerely,

Keisha Weiford

cc: The Honorable Rena Hughes, via fax to: 702-676-1475  
Christopher R. Tilman, Esq., via fax to: 702-214-4208  
Riana Durrett, Esq., via fax to: 702-458-8508

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FACSIMILE TRANSMISSION

DATE: 11/4/2015  
TO: Honorable Judge Rena G. Hughes  
FAX #: 702-676-1475  
NO. of PAGES: 5 (including cover sheet)  
FROM: Nicolle Polit, Assistant to  
Keisha Weiford MS, MFT  
RE: Welthy Silva v. Regerio Silva Case #D-12-467820-D

Comments:

Please confirm upon receiving and distribute to attorneys on case.

---

This transmission contains confidential information. If you have received this in error, please call (702) 395-8417. Thank you.

\*\*\*\*\*



NOV-4-2015 11:27A FROM: SUMMERLIN COUNSELING 7022424429

TO: 7026761475

P.2/5

FUS

Keisha Weiford, MS, MFT  
Licensed Marriage & Family Therapist  
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Las Vegas, Nevada 89128  
702-395-8417 Office 702-334-2113 Cell  
702-242-4429 Fax

FAX TRANSMISSION

November 2, 2015

The Honorable Rena G. Hughes  
District Judge, Department J  
Eighth Judicial District Court  
Family Division  
601 N. Pecos Road  
Las Vegas, Nevada 89101-2408

DO NOT COPY  
RELEASE TO ANYONE  
INCLUDING LITIGANT

RE: Silva vs Silva  
Case#D-12467820-D  
Parent - Child Reunification Update Letter

Dear Judge Hughes:

The above mentioned case was referred for child reunification services on May 26, 2015. Please accept this letter as an update from my last letter on August 5, 2015. We had three conjoint sessions since then with Rogerio Silva (Dad) and his daughter Annie on September 9, September 17, and September 24, 2015. It was my understanding that this family had an upcoming court date on September 29, 2015, so we did not schedule a follow up appointment.

On October 8, 2015, I wrote both parents requesting that we schedule additional sessions with Dad and Annie, as well as individual sessions with the parents so that we can discuss ways that they can help Annie and improve their individual parenting styles. I also requested a release to speak to the therapist, Natalie Harper, that met with Annie. Welthy Silva (Mom) did provide my office with a release. Dad and I had one additional session on October 21, 2015 and I had a telephone conference with Natalie Harper on October 22, 2015. Welthy Silva (Mom) declined to meet with me after my October 8<sup>th</sup> letter, she reported to my assistant that finances were an issue and Annie was done.

Summary of Conjoint Sessions

Annie was okay when she came into all of the sessions. She did not have any difficulty walking into my office, or sitting in the office for the entire time. She did not want to sit close by her father, she did not want to make eye contact. Annie was weepy throughout the first session. When Dad addressed Annie directly it made her upset in the first session. Annie did not have any difficulty communicating with me, however, she was not able to articulate her feelings about her relationship with Dad. When asked about her tears, she could not explain why she had her tears. During the first session, Annie did not respond to Dad directly. When Dad asked Annie for a hug at the end of the first session, it made her cry again.

At the second session, you could tell that she was still uncomfortable but she was able to look at Dad and respond to his questions. Actually, our second session was the most productive. Annie was open and comfortable during the second session, she did not cry and she played 3 to 4 games of checkers with Dad. I utilize activity quite a bit when working with children and parents. Children are more apt to open up when they are doing something fun. Dad demonstrated his ability to teach and connect with Annie at the same time. It was very appropriate, and Annie opened up the most during that time together. Annie was able to respond without prompting from me. Both Dad and Annie were more relaxed. She left the office cheerful and met with Mom in the lobby in a very different state from our first session.

Right before our third session, as I am walking Annie into the room, she was determined to let me know that she did not want to be reunified and did not want to have a relationship with her father. Annie was more closed during the third session. She was not as shut down as in our first session, but there was a distinct difference from our first session. In our third session, Dad again was requesting that Annie open up. Dad continued to share his experiences with Annie and their life together, and why he is so baffled by her behavior. Annie finally reports that she was "acting" when she was spending time with her Dad all these years. Dad was deeply hurt and became emotional. Annie reported that she did not care about her relationship with her Dad and essentially did not want it. Dad got up and asked to leave the room and have a moment. Dad does not hide his emotions well, and when he is frustrated and hurt it looks like anger. However, there was a sadness there that does not just stem from his relationship with Annie but comes from his estranged relationship with his older daughter, and I am sure there other things that contribute to it. However, Annie is not going to understand why her Dad gets so frustrated and upset. Annie is not going to understand that Dad's hard exterior and rigidity has nothing to do with his love and dedication to her. Dad needs to work on being able to show his vulnerability with his daughter without it coming off as anger. Dad needs to work on keeping his anger and frustration with Mom very separate from his relationship with his daughter. It seems that all of it has been bleeding into his relationship with Annie. However, Dad is not the only one that needs to work on the family dynamics.

### **Annie's Therapist**

I spoke with Annie's therapist. She reported that Annie met with her on July 15 and July 22, 2015. The therapist reported that Annie did not report abuse, neglect or any other issues with her father other than him taking the cell phone away from her. The therapist reported that she had the impression that Dad was rigid, which was consistent with my observations in the conjoint sessions. The therapist reported that she had a third session scheduled, but that appointment was cancelled by Mom. The therapist did tell Mom that she does not get involved in court cases. The therapist did state that she would be willing to continue to see Annie if she was working in unison with myself as the reunification therapist.

If Annie is indeed having difficulty in her relationship with her Dad, then I am surprised that she only had two sessions with the therapist in July. If that therapist was not a good fit, then there should have been an effort made to find someone that was a better fit. It appears that Mom's thoughts are that the problems lie solely with Dad, therefore, if we get rid of Dad then the problem is solved. However, I believe the problems are more systemic and has more to do with the dynamics in the parental relationship that started in the marriage and continues to this day.

### Observations

The following is my assessment of the family dynamics from the brief amount of time that I spent with this family. The issues with parenting Annie started in the marriage before the divorce. It sounds as if both parents had very different ideas on what was appropriate when it came to Annie and it became a power struggle, which continues today. Both parents have polar opposite parenting styles. Based on my brief observations, Mom has a more permissive style while Dad has a more authoritarian style. Mom's relationship with Annie also appears to be enmeshed.

The major issues that Annie described having with her Dad had more to do with his conflicts with Mom than they had to do with her personal relationship with him. Annie reported in her first interview with me that her Dad did not spend time with her and was preoccupied with his phone; she also reported not liking his girlfriend, and that Dad had an angry episode not too long ago. However, during the conjoint session, Annie agreed that her Dad did spend quality time together. They both agreed that she did do constructive things when she was in the care of her Dad such as, art projects and Jiu Jitsu which she seems to be very good at. Annie agreed with Dad's reports that Dad was not abusive or neglectful towards her. I did witness Dad losing his cool in front of Annie, but again that had more to do with his frustration with the situation than it had to do with Annie personally.

The only parent-child situation that Annie was really vocal about was when Dad would take Annie's electronic devices away (cell phone/iPad) when she did not stay in touch with Dad. Annie did not agree with that consequence and felt that Dad's stance on the cell phone was unfair.

I believe that Annie is a child of divorce that is in the middle of the conflict between her parents. It is understandable why Annie would be so put off by her Dad's style of parenting, when she spends the majority of her time in a permissive household. Dad wants to have a say in Annie's upbringing, and he is vocal about it, and is willing to confront Mom about it or take her to Court to get things handled. If Annie is spending all of her days being schooled by Mom, going to the dance studio with Mom and is really close to Mom, of course she is going to see Dad as the enemy. Her protection of Mom is a natural response. If Dad is more authoritarian in his parenting style, and is vocal about his dislike of some of the things happening; I am not surprised that Annie has come to the conclusion that she does not need that relationship with Dad. This stance is also being supported and championed by her mother. Annie's views are her own but it is not because there is something detrimental being done to her.

I believe that Dad has some work to do on his parenting, but I also believe that Mom has some work to do herself. There are no perfect parents, however, Annie would benefit from both of her parents coming more toward the middle. Dad is continually fighting for a role in the upbringing of Annie. When things are not worked out cooperatively with Mom, he will take his concerns to Court and Annie is well aware of this difference in opinion and the difficulty that this causes her mother. It makes sense to align with the parent that she is closest to, and who she observes as being victimized by this behavior. However, discarding her relationship with Dad is not the answer. Dad actually creates balance in Annie's upbringing. Annie's relationship with her Dad is not an easy one, but his rigidity is not cause for no access to his daughter.

### Recommendations

These parents would benefit from having a cooperative relationship. It would also be beneficial for them to share in the major decision making, such as, Annie's education. However, it does not appear that these parents are capable of working together in that way.

1. Therefore, these parents would benefit from parallel parenting where Mom will parent Annie separately from how Dad parents Annie. It is okay for parents to have different relationships

NOV-4-2015 11:30A FROM: SUMMERLIN COUNSELING 7022424429

TO: 7026761475

P.5/5

with their children. Dad might have a more stern approach, and Mom might have a more lenient approach. In an intact family, this is not abnormal. It usually forces parents to find the happy medium. However, in divorce families there is the misconception that it gives one parent permission to dictate how the other parent should behave.

2. Dad has unsupervised access to his daughter. There is no proof of abuse or neglect, and even children who have been in severe abusive situations and taken by CPS, still have visitation with their children.
3. It seems that Mom believes that she has Annie's best interest by protecting her daughter from her father. However, Mom supporting that relationship with Dad is the best thing that she could do for her. Getting her the assistance that she needs if she is having difficulty in that relationship, not just blocking access.
4. Both parents participate in a parenting class. Annie would benefit from having balance and accountability that comes with both parents learning how to parent effectively.
5. All major decisions and clear parenting guidelines would be made by the Court. If there are clear guidelines set out by the Court that states what the expectations of both parents are, this family may be able to adhere to those guidelines set out by the Court and not have to utilize the Court in order to co-parent.
6. Annie's education and the mode of accountability needs to be decided by the Court to eliminate the cause of conflict and stress in the parental relationship.
7. Annie continue with counseling or reunification therapy in order to monitor the progress/or lack of progress that is taking place in her relationship with Dad.

I hope this information is helpful to the Court. If I could be of further assistance to the Court and this family, please do not hesitate to contact me at (702) 395-8417.

Respectfully submitted,

Keisha Weiford, MS, MFT  
Executive Director  
Family Solutions Inc.

NOV-4-2015 11:27A FROM: SUMMERLIN COUNSELING 7022424429

TO: 7026761475

P.1/5

KEISHA WEIFORD MS, MFT  
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LAS VEGAS, NEVADA 89128  
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FACSIMILE TRANSMISSION

DATE: 11/4/2015  
TO: Honorable Judge Rena G. Hughes  
FAX #: 702-676-1475  
NO. of PAGES: 5 (including cover sheet)  
FROM: Nicolle Polit, Assistant to  
Keisha Welford MS, MFT  
RE: Welthy Silva v. Regerio Silva Case #D-12-467820-D

Comments:

Please confirm upon receiving and distribute to attorneys on case.

---

This transmission contains confidential information. If you have received this in error, please call (702) 395-8417. Thank you.

\*\*\*\*\*

Keisha Weiford, MS, MFT  
Licensed Marriage & Family Therapist  
8440 W. Lake Mead Blvd., Suite 206  
Las Vegas, Nevada 89128  
702-395-8417 Office 702-334-2113 Cell  
702-242-4429 Fax

**FAX TRANSMISSION**

January 21, 2016

The Honorable Rená G. Hughes  
District Judge, Department J  
Eighth Judicial District Court  
Family Division  
601 N. Pecos Road  
Las Vegas, Nevada 89101-2408

**RE: Silva vs Silva**  
**Case# D-12467820-D**  
**Parent - Child Reunification Update Letter**

Dear Judge Hughes:

The above mentioned case was referred for child reunification services on May 26, 2015. Please accept this letter as an update from my last letter on November 2, 2015. I have not had a reunification appointment with Rogerio Silva (Dad) and his daughter Annie since September 24, 2015.

My office on several occasions has tried to schedule appointments for Welthy Silva (Mom) and Annie. Our last scheduled appointment was December 10, 2015. Mom was aware of the appointment, she made contact with us the day before and the day after the appointment. Mom made it clear in her email on December 9, 2015 that she was not bringing Annie because she could not afford the sessions and because it stressed Annie and gave her headaches. My office has not heard from Mom since December 11, 2015. Dad did show for that appointment on December 10, 2015, and it was quite productive.

Money should not be the barrier for Dad having access to his daughter. Dad has not done anything, based on my observations or any of the reports, that warrants him not having access to his daughter for almost a year.

**Recommendations**

1. Dad should be able to start having access to his daughter weekly. There can be a 4-week plan in place before he resumes the normal timeshare.
  - a. First week – one evening dinner (hours dependent on Donna's House operating hours)
  - b. Second week – two evenings for dinner (hours dependent on Donna's House operating hours)
  - c. Third week – three evenings for dinner (hours dependent on Donna's House operating hours)

- d. Fourth week – Normal timeshare resumes. (Exchange times dependent on Donna's House operating hours.)
2. All exchanges take place at Donna's House. This way there is a record of the parent's compliance with the Court order.
3. If there is a wait for Donna's House services, then exchanges can take place at my office Friday morning at 8am, and Monday morning at 8am until they are clients of Donna's House. These times are for exchanges only, no services can be provided during these times.
4. If Donna's House cannot accommodate their normal timeshare arrangement, then drop off can be done at a local precinct or at her home with Mom. Pick-up should definitely be conducted at Donna's House.
5. Dad participate in reunification therapy with me monthly, so that we can continue to work on building the skills necessary to improve his relationship with his daughter.
6. Dad and Annie check in with reunification therapist monthly, cost to be paid by Dad and Mom's portion of the fee to be reimbursed to Dad. Method of reimbursement be determined by Court. However, it should not interfere with Annie participating in the services.
7. Parents follow through with the parenting classes and other previous recommendations.

Mom has an outstanding balance of \$360 for her portion of the last 3 court reports. Dad has a balance of \$120 for this court report.

I hope this information is helpful to the Court. If I could be of further assistance to the Court and this family, please do not hesitate to contact me at (702) 395-8417.

Respectfully submitted,

Keisha Weiford, MS, MFT  
Executive Director  
Family Solutions Inc.

Cc: Rianna Durret, Esq.  
Christopher Tilman, Esq.

**Claudia D. Schwarz, MA, MFT**

Marriage and Family Therapist License #01031

1820 East Warm Springs Road Suite #115 Las Vegas, NV 89119

Phone: 702-372-4072 Fax: 702-361-5080

March 1<sup>st</sup>, 2016

The Honorable Judge Rena Hughes  
District Judge, Department J  
Eighth Judicial District Court  
Family Division  
601 N. Pecos Road  
Las Vegas, NV 89101

Case Number: D12467820D

Case Name: Silva vs. Silva

RE: Child Custody Evaluation

Dear Judge Hughes,

As the Child Custody Evaluator assigned to this case on February 18<sup>th</sup>, 2016, I am respectfully notifying the court of what has transpired thus far. Mr. Rogerio Silva is in compliance with the Order and is ready to begin services. Ms. Welthy Silva contacted this provider and explained that she is unable to afford to pay for the services at this time. As both parties are responsible for splitting the evaluation fees 50/50, this provider cannot begin services until fees are paid.

At this time I respectfully ask the Court for guidance on how to proceed. I appreciate the opportunity to be of service to this Court, and if you have any other questions or concerns, please feel free to contact me at any time.

Sincerely,



Claudia Schwarz, MFT



PLEASE NOTE NEW ADDRESS FAX AND EMAIL

Katy H. Steinkamp, MEd, MFT, LADC  
Nationally Certified Parenting Coordinator  
5852 S. Pecos  
Bldg. H, Suite 6  
Las Vegas, NV 89120  
702-498-4688 Work Cell  
EFax 702-922-3212  
[katy.steinkamp@gmail.com](mailto:katy.steinkamp@gmail.com)

April 10, 2017

Honorable Judge Rena G. Hughes  
Clark County District Court  
Family Division, Dept. J  
601 N. Pecos  
Las Vegas, NV 89101

Welthy Silva vs. Rogerio Silva  
Case #: D-12-467820-D

Honorable Judge Hughes:

I called to speak with your court clerk Jenna this morning regarding several issues I needed clarifying with this case. Mr. Rogerio Silva disagrees with my focus in the work with this case. Ms. Welthy Silva disagrees with everything. Please send me an Order for Outsource Referral.

This letter however is to notify the Court of my suspicion that Welthy Silva is smoking pot. I can smell it when she comes into the office. Her eyes are red rimmed and the odor is strong. I have seen her twice, once when she came for an individual session (informational regarding my fees and process) on Monday the 27<sup>th</sup> of March, and with Rogerio on Thursday the 6<sup>th</sup> of April. The odor of pot was present for both sessions.

Respectfully Submitted,

Katy H. Steinkamp, M.Ed., MFT

## FAX COVER SHEET

TO	Honorable Judge Rena G. Hughes
COMPANY	Eighth Judicial District Court, Family Division, Dept. J
FAXNUMBER	17026761475
FROM	Katy Steinkamp
DATE	2017-04-10 19:54:40 GMT
RE	Silva, Welthy vs. Silva, Rogerio D-12-467820-D

## COVER MESSAGE

Please do not hesitate to contact me if further information is needed.

Respectfully,

Katy H. Steinkamp

PLEASE NOTE NEW ADDRESS FAX AND EMAIL

Katy H. Steinkamp, MEd, MFT, LADC  
Nationally Certified Parenting Coordinator  
5852 S. Pecos  
Bldg. H, Suite 6  
Las Vegas, NV 89120  
702-498-4688 Work Cell  
EFax 702-922-3212  
[katy.steinkamp@gmail.com](mailto:katy.steinkamp@gmail.com)

FUS

CONFIDENTIAL

June 12, 2017

Honorable Judge Rena G Hughes  
Clark County Judicial Court  
Department J  
Las Vegas, NV

Case: Welthy Silva, Plaintiff vs. Rogerio Silva, Defendant  
Case #: D-12-467820-D

Designated Role of Therapist: 10/11/16 this case was referred to me by Judge Rena Hughes for Outsourced Therapy regarding timeshare of the parties. The Mom, Welthy, insisted it was for reunification with the Father, Rogerio and the daughter, Annie. I asked for clarification of my role from the Court and received the Order for Special Master/Parenting Coordinator on April 24, 2017.

History:

Welthy and Rogerio Silva have a 12-year-old daughter, Annie. They divorced when Annie was eight and for the last four years they have been fighting mostly over custody of Annie. The case has been highly contentious as the mother, Welthy, is very dedicated to the belief that she has been a victim of Judge Rena Hughes "bias and ignorance of the law". Welthy consequently is attempting to unseat Judge Hughes and get the public to rally around her by putting the tape of the court on social media, YouTube, and she focuses on the "way" Judge Hughes spoke to her 11-year-old daughter.

When Welthy and Rogerio shared joint physical and legal custody, Annie went for about a year without visiting her father. The reason Welthy gave Rogerio was that "she is 11 years old and the Judge gave her the right to choose". I interviewed Annie and indeed she is adamant she does not want to see her father at all. She is highly emotional when she talks about her father and yet the worst thing she can say that he does is "scream at me sometimes". I have seen them together and things do get somewhat contentious between them, but it is very likely due to the pre-adolescence of Annie. I do believe Rogerio that when he and Annie are alone at home, out of the spotlight of the Court, things are peaceful. Also, Rogerio's mother

was Japanese and his father was, Venezuelan or Brazilian, and he was acculturated to believe the father has the last word. Rogerio is highly opinionated and somewhat loud, and I do not believe he would physically hurt his daughter. Welthy is also highly opinionated and somewhat imperious and righteous when she believes she is protecting her daughter, and I do not believe she would intentionally, with awareness, emotionally hurt her daughter.

#### Current Situation and PC Suggestions:

Annie is being traumatized by the current situation between her parents custody battle. There is no question Annie wants desperately to live with her mother. The question is really what has happened in Annie's life to cause all of her despair and hysteria about spending time with Dad? This case is a prime example of what happens when a highly critical and intense degree of conflict continues over time and the child is a pre-adolescent female, and the mother is righteous and the father is angry. The child is destroyed in the undertow! It is apparent Annie and Welthy are enmeshed. Any attempt to limit Mom's visitation, or attempt to allow more time with Dad, causes dramatic grief for Annie. Some of this is of course her developmental entrance into adolescence. I do believe however, that a great deal of Annie's angst is due to her exposure to the happenings in the Courtroom. She is almost 12 and she likely knows her way around the Internet.

Annie is in danger right now. For reasons indicated above she is alienated almost completely from her father, likely due in part from the activism of Welthy who does not appear aware of the impact of her behavior on her daughter. This is exasperated by father's anger and frustration with Welthy, which sometimes lands squarely on Annie!

Neither of the parents in this case appears to be aware of the damage they are doing to Annie. They hyper-focus on what the OTHER parent is doing and ignore their own behavior. A poor analogy would be: Each is trying to be the Alpha Dog. This case has caused sleepless nights for me, as I am sure it has for all involved. So much damage is being done, and it is tragic.

#### SUGGESTIONS:

Annie and her father need to have their time together. Annie and her mother need to have time together too. So it seems to me that it would benefit Annie if both parties were in separate family therapy with Annie. I would suggest Stephanie Holland, Ph.D. (702-850-6508) as the therapist with Rogerio and, Claudia Schwartz, Psychologist (702) 372-4072) for Welthy. If the Court would like further suggestions please contact me at 702-498-4688.

It is extremely important that Annie get some therapeutic help from someone who is not involved with this case at all. I suggest Kathy Disney Fairchild, MFT (702) 265-

7245, or John Duerr, MFT at 310-701-4640. Annie needs some downtime from the drama of her parents and this highly conflictual case.

Thank you for your referral of this case.

Respectfully,

(Signature on File)

Katy H. Steinkamp, M.Ed., MFT, LADC, NCPC



**EIGHTH JUDICIAL DISTRICT COURT**

FAMILY DIVISION  
FAMILY COURTS & SERVICES CENTER  
601 NORTH PECOS ROAD  
LAS VEGAS, NEVADA 89101-2408

**REBECCA L. BURTON**  
DISTRICT JUDGE

DEPARTMENT C  
(702) 455-5992  
FAX: (702) 380-2839

May 14, 2018

To the Judicial Discipline Committee:

Re: Honorable Rena G. Hughes

I have been asked to write this letter by the Honorable Rena G. Hughes to describe my experience with her.

I practiced exclusively in the field of family law for 22 years prior to taking the bench myself in January 2015. For 25 years I have known Judge Hughes both personally and professionally.

I met Judge Hughes when we were both practicing family law as young lawyers. Attorney Hughes was diligent, prepared, knowledgeable and serious about her job. I was impressed. We continued to cross paths professionally over the years, and her performance was always the same.

Eventually, we became personal friends. I began to know Ms. Hughes as a kind, big hearted, and compassionate person. I learned that she was involved in the community with seniors through her church. Ms. Hughes taught an elderly gentleman how to read and helped him with a pension issue. Ms. Hughes took elderly folks on errands and kept them company when they had no one else. I do not know how she managed the time, because she continued to be a diligent and professional lawyer with a good reputation in the community.

As a colleague, I know that Judge Hughes continues to take her job very seriously. Judge Hughes remains compassionate and devoted to making good decisions for families and cares deeply about the children most of all.

Sincerely,

A handwritten signature in cursive script, reading "Rebecca L. Burton".

Rebecca L. Burton  
District Court Judge  
Family Division, Dept. C

## PECOS LAW GROUP

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Office Administrator

May 23, 2018

William B. Terry, Esq.  
530 S. Seventh Street  
Las Vegas, Nevada 89101

Re: **Judge Rena G. Hughes**

Dear Mr. Terry:

I have been admitted to practice law in the State of Nevada since 1990 and am currently the principal of Pecos Law Group. My practice is almost exclusively in family court. My bar related activities include being elected to the State Bar of Nevada, Board of Governors on two occasions (2003—2005, 2008—2010); member of the State Bar of Nevada, Southern Nevada Disciplinary Board (1995—2003, 2006—2008; 2010—2012); member of the State Bar of Nevada, Standing Committee on Judicial Ethics and Election Practices (2001—2010); member of the Clark County Family Court Bench-Bar Committee (1994—1995) and appointee of the Supreme Court of Nevada, Bench-Bar Committee (2008 - present).

I have known Rena Hughes for more than 20 years when she was in private practice. I have practiced in front of Judge Hughes on a regular basis since she was first elected in 2015. My experience with Judge Hughes is that she promptly begins her calendar, is prepared with the relevant facts of a case and is knowledgeable of the relevant law. Judge Hughes' style is efficient, effective and ultimately saves litigants time and money. Whether she rules in my favor or not, it has been my experience that Judge Hughes usually arrives at a legally sound, reasonable and decisive decision.

In my opinion, Judge Hughes is one of the better family court judges and an asset to the community. If asked, I would fully support Judge Hughes should she seek re-election.

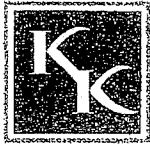
Sincerely,



BRUCE I. SHAPIRO, ESQ.

BIS/ar





# KELLEHER & KELLEHER

May 22, 2018

Via US Mail Only:

Nevada Commission on Judicial Discipline  
P.O. Box 48  
Carson City, Nevada 89702

Re: Honorable Rena Hughes

To The Nevada Commission:

Judge Rena Hughes appears before your commission to defend complaints made against her as a Family Court judge. I am a domestic relations attorney who has known Rena since 2001 (which does not seem nearly as long as it has been)—first as an opposing attorney and then, subsequent to her election, as a judge presiding over several of my cases.

When I first met Rena she struck me as extraordinarily honest and extremely conscientious, both of which qualities she is generally known for throughout the family law legal community. Before taking the bench she worked for a number of highly esteemed civil litigation and domestic relations firms. She was simultaneously a formidable opponent and a self sacrificing citizen, devoting considerable time to pro-bono legal work within family court and charitable endeavors. For decades, Rena assisted many individuals free of charge.

I supported Rena's candidacy for judge and was certainly not the "Lone Ranger" when it came to my support. Her colleagues and I believed, and I still believe, she was and is tremendously well suited to the family court bench. She understands complex financial structures and her experience dealing with family clients as a practitioner helps her understand a person's motivations and legal arguments.

Rena places honesty above money. I have personally witnessed her tell her own client (who was high-earning) that he needed to be forthright about the finances in a case. When her client refused, she fired that high paying client. Unfortunately, most attorneys either cannot or will not do the same.

Rena's integrity as a judge means that I often do not prevail in her courtroom. Although I sometimes do not agree with her decisions, I do know she is thoughtful, diligent, and honest. These are attributes she took with her to the bench after leaving advocacy behind, and are reasons why so many of her colleagues supported her for the judicial position.

Honorable Rena Hughes, cont.

May 22, 2018

Page 2 of 2

Of course, I have seen the television coverage of the incident which lies at the heart of the complaint leveled against her. I understand it is serious, but I also know how difficult it is to practice every single day in the extraordinarily contentious Family Court. For the past twenty- one (21) years, I have appeared in court most days of the week. This is not an unusual schedule for a family practitioner due to the sheer volume of the cases. Such a stressful schedule is made more difficult by the fact that family law clients are almost always present in court themselves, and often wish to interrupt the proceedings in the mistaken belief it will help them.

Over the years, I have sincerely wished that certain things I have said in a heated situation or contentious moment in court could be retracted or put more delicately, and I hope the commission can look at Rena's record of service in making its decision, rather than focus on, perhaps, the worst day she had in court during her otherwise unblemished career. There is not a single lawyer in Nevada who would like to be judged on one (1) poor day among countless days of helping indigent individuals who desperately need a "free" attorney or of ruling with integrity from the bench. Even the most temperate judges in Family Court have tough days. Family Court is a tough place, some may even say, at times, toxic.

Rena did not aspire to be a judge for power or money. She did not personally gain anything in court the day of the incident at issue. Instead, she made a legal decision during a caustic situation. She did not act from greed, malice, or a dark heart. I also know she has struggled under the weight of public scrutiny and been derided regularly from certain fringe political groups on YouTube. In spite of this, she never gave up and she came to court each day, doing her job for the litigants. She did not hide out, or decide not to take tough cases. She got up and moved forward. She has suffered for that day in court for years now, and the commission should consider such suffering and perseverance as part of its analysis.

I beseech the commission not to harm Rena's career based on a single decision, made in a single case, on a single day. Many members of the Family Court bar thought she was right for the job, and many members know she is right for the job now. Down in Family Court, the judges, including Judge Hughes, are often asked to be part drill sergeant and part cheerleader. I have seen Rena applaud the efforts of a mother or father who stopped using drugs, or started treating the mental illness they denied, or took care of their outstanding warrants. Judges give the litigants a second chance. Judge Rena Hughes, if anyone does, deserves a mulligan as well. Judge Hughes should have the opportunity to provide many more years of service to the family bar and the people in Clark County.

Sincerely,

KELLEHER & KELLEHER, LLC

John T. Kelleher, Esq.

APP877

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**THE JIMMERSON LAW FIRM**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

May 23, 2018

Nevada Judicial Discipline Commission  
P.O. Box 48  
Carson City, NV 89702

Re: On behalf of The Honorable Rena Hughes

Dear Chairman Vause:

I write this letter in support of The Honorable Rena G. Hughes, District Court Judge Family Division, for the Eighth Judicial District Court, Department "J".

I know Judge Hughes well. I was one of her earliest employers. She worked as one of our firm's associate lawyers from 1989 to 1994, for a period of approximately five years. During her work for our firm, she showed talent, intellect, ethics, and common sense that we want in our lawyers and, certainly, that we need in our Judges. The quality of her work was first rate and her work ethic was excellent.

As an active practitioner in both civil trial practice and family law and having had the privilege of representing many Judges over the years before different tribunals, including the Judicial Discipline Commission, I can tell you that we are familiar generally with the matter that you are undertaking on behalf of Judge Hughes. We will simply state that you are the arbiters of the facts, and you are also the individuals who will pass judgment on whether there should be any discipline whatsoever, whether there should be a dismissal, or a letter of warning, or whether there should be a more severe judicial censure. I would urge you, respectfully, to evaluate Judge Hughes, her demeanor, her candor, her strength of character, her honesty, and her ability to understand and appreciate the important position that she holds and of her duties and responsibilities to the bench, Bar and to our community. She is a credit to the judicial system in the State of Nevada.

I have practiced in front of Judge Hughes extensively. If you were to ask around, you would find that she has a reputation of being a no nonsense jurist, relatively hard-nosed, and above all else, fair. She does require the lawyers to follow the rules. She is companionate to those litigants who appear before her, whether represented, or who appear in proper person. And she goes out of her way to allow both sides to make their record. The fairness in her decision-making is the watch word that I would use to describe Judge Hughes. She

James J. Jimmerson  
Lesley E. Cohen  
Michael C. Flaxman  
James M. Jimmerson  
Kevin J. Helmanowski

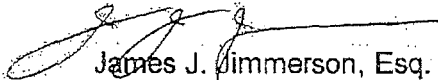
\*ALSO ADMITTED IN CALIFORNIA  
\*\*MEMBER, NATIONAL TRIAL LAWYERS  
TOP 100 LAWYERS  
\*\*MARTINDALE-HUBBELL "AV" PREEMINENT  
\*\*SUPER LAWYERS BUSINESS LITIGATION  
\*\*STEPHEN NAIFEH "BEST LAWYERS"  
\*\*RECIPIENT OF THE PRESTIGIOUS ELLIS ISLAND  
MEDAL OF HONOR, 2012  
\*\*FELLOW, AMERICAN ACADEMY  
OF MATRIMONIAL LAWYERS  
\*\*DIPLOMAT, AMERICAN COLLEGE  
OF FAMILY TRIAL LAWYERS  
\*\*FAMILY LAW SPECIALIST, NEVADA STATE BAR

possesses a high level of integrity that makes her decision-making, and her overall behavior, above reproach. She is not intimidated, she is independent, and she is thoughtful. Judge Hughes is a woman of high character.

I urge your thoughtful and compassionate consideration of Judge Hughes. She cares for the children who are the subject of custody disputes and divorce litigation, and she works every day to protect their best interests. She places the children's welfare as the highest priority, as she should. Even after 41 years of civil trial practice, I still believe in my heart as to the greatness of the American judicial system. Rena Hughes greatly adds to that calculus.

Thank you for your consideration.

Respectfully submitted,



James J. Jimmerson, Esq.

cc: William Terry, Esq.  
Honorable Rena Hughes

C. A. CHILDRESS, Psy.D.

LICENSED CLINICAL PSYCHOLOGIST, PSY 18857

219 N. INDIAN HILL BLVD., STE. 201 • CLAREMONT, CA 91711 • (909) 821-5398

Recommended Treatment-Related Assessment Protocol for Parent-Child Attachment  
Pathology Surrounding Divorce

C. A. Childress, Psy.D. (2016)

The Attachment System

A child's rejection of a normal-range and affectionally available parent surrounding divorce has received the name of "parental alienation" in the general culture. However, the construct of "parental alienation" is not a defined construct in clinical psychology.

In clinical psychology, a child's rejection of a parent represents an **attachment-related pathology**. The attachment system is the brain system responsible for governing all aspects of love and bonding throughout the lifespan, including grief and loss. One of the preeminent researchers of the attachment system, Mary Ainsworth, offers the following description:

"I define an 'affectional bond' as a relatively long-enduring tie in which the partner is important as a unique individual and is interchangeable with none other. In an affectional bond, there is a desire to maintain closeness to the partner. In older children and adults, that closeness may to some extent be sustained over time and distance and during absences, but nevertheless there is at least an intermittent desire to reestablish proximity and interaction, and pleasure – often joy – upon reunion. Inexplicable separation tends to cause distress, and permanent loss would cause grief.

"An 'attachment' is an affectional bond, and hence an attachment figure is never wholly interchangeable with or replaceable by another, even though there may be others to whom one is also attached. In attachments, as in other affectional bonds, there is a need to maintain proximity, distress upon inexplicable separation, pleasure and joy upon reunion, and grief at loss." (Ainsworth, 1989, p. 711)<sup>1</sup>

The attachment system is a neurologically based primary motivational system that evolved in response to the selective predation of children. Children who formed strong attachment bonds to parents received parental protection from predators (and other environmental dangers) and their genes for forming strong attachment bonds increased in the collective gene pool. On the other hand, children who formed weaker attachment bonds to parents were more fully exposed to predation and other environmental dangers, and their genes for forming weaker attachment bonds were selectively removed from the collective gene pool. Over millions of years of evolution, a very strong and resilient *primary motivational system* developed that strongly motivates children to form affectional attachment bonds to parents.

"The biological function of this behavior [attachment] is postulated to be protection, especially protection from predators." (Bowlby, 1980, p. 3)<sup>2</sup>

<sup>1</sup> Ainsworth, M.D.S. (1989). Attachments beyond infancy. *American Psychologist*, 44, 709-716.

<sup>2</sup> Bowlby, J. (1980). *Attachment and loss: Vol. 3. Loss: Sadness and depression*. NY: Basic.

### Child Rejection of a Parent

The attachment system is referred to as a "goal-corrected" primary motivational system because of the critical survival advantage it provides to children. The attachment bonding motivations of children always seek the **goal** of forming an attachment bond to the parent. In response to problematic parenting, the attachment behaviors of the child become distorted in characteristic ways (called "insecure attachments"), but the motivational goal of the child's attachment system is always to form an affectionally attached bond to the parent. All children love their parents, and all children want the love of their parents in return.

The attachment system never spontaneously dysfunctions. Forming an attachment bond to parents is too critical to the child's survival. The attachment system only becomes distorted in response to **pathogenic parenting** (patho=pathology; genic=creation). Pathogenic parenting is the creation of significant pathology in the child through aberrant and distorted parenting practices. The attachment-related pathology of a child rejecting a parent is caused by pathogenic parenting, either emanating from the rejected parent (such as occurs with incest and in cases of chronic parental violence), or from the other parent, the allied and supposedly "favored" parent who has manipulated the child into forming a **cross-generational coalition** with the allied parent against the targeted-rejected parent. The preeminent family systems therapist, Jay Haley, defines the construct of the cross-generational coalition:

"The people responding to each other in the triangle are not peers, but one of them is of a different generation from the other two... In the process of their interaction together, the person of one generation forms a coalition with the person of the other generation against his peer. By 'coalition' is meant a process of joint action which is *against* the third person... The coalition between the two persons is denied. That is, there is certain behavior which indicates a coalition which, when it is queried, will be denied as a coalition... In essence, the perverse triangle is one in which the separation of generations is breached in a covert way. When this occurs as a repetitive pattern, the system will be pathological. (Haley, 1977, p. 37)<sup>3</sup>

The attachment-related pathology of a child rejecting a parent (i.e., the suppression of the normal-range functioning of the child's attachment bonding motivations toward a parent) must either be the result of severely **pathogenic parenting** by the targeted-rejected parent (such as the sexual abuse or chronic physical abuse of the child) or by the distorted parenting practices of the allied and supposedly "favored" parent who has formed a **cross-generational coalition** with the child against the other parent. The goal of a treatment-related assessment is therefore to identify the source of the pathogenic parenting; either from the targeted-rejected parent (through incest or chronic parental violence), or from the allied and supposedly "favored" parent (through the formation of a cross-generational coalition with the child against the other parent).

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<sup>3</sup> Haley, J. (1977). Toward a theory of pathological systems. In P. Watzlawick & J. Weakland (Eds.), *The interactional view* (pp. 31-48). New York: Norton.

## Disordered Mourning

The family pathology traditionally called "parental alienation" in the general culture, in which the child's normal-range attachment bonding motivations toward a normal-range and affectionally available parent are artificially suppressed as a result of a **cross-generational coalition** of the child with the allied and supposedly "favored" parent against the targeted parent, represents a form of attachment-related pathology called "pathological mourning" (Bowlby, 1980).

"The **deactivation of attachment behavior** is a key feature of certain common variants of *pathological mourning*" (Bowlby, 1980, p. 70; emphasis added)

The reason for the disordered mourning within the family centers around the narcissistic/(borderline) personality pathology of the allied parent who has formed a cross-generational coalition with the child against the other parent (Haley; Minuchin<sup>4</sup>). The personality pathology of the allied parent is characterologically incapable of processing sadness, grief, and loss, and instead turns sadness and mourning into "anger and resentment, loaded with revengeful wishes" (Kernberg, 1975):

"They [the narcissistic/borderline personality] are especially deficient in genuine feelings of sadness and mournful longing; their incapacity for experiencing depressive reactions is a basic feature of their personalities. When abandoned or disappointed by other people they may show what on the surface looks like depression, but which on further examination emerges as **anger and resentment, loaded with revengeful wishes**, rather than real sadness for the loss of a person whom they appreciated." (Kernberg, 1975, p. 229; emphasis added)<sup>5</sup>

The preeminent attachment theorist, John Bowlby, also links personality disorder pathology to "disordered mourning":

"**Disturbances of personality**, which include a bias to respond to loss with *disordered mourning*, are seen as the outcome of one or more deviations in development that can originate or grow worse during any of the years of infancy, childhood and adolescence." (Bowlby, 1980, p. 217 emphasis added).

The pathology traditionally called "parental alienation" in the popular culture, in which a child rejects a normal-range and affectionally available parent, is actually a form of attachment-related pathology called "**pathological mourning**" in which the allied parent in a cross-generational coalition with the child against the other parent has narcissistic and/or borderline personality traits that interfere with this parent's ability to adequately process the sadness, grief, and loss surrounding the divorce. The allied narcissistic/borderline personality parent is then transferring this parent's own disordered mourning to the child through manipulative and distorted parenting practices (pathogenic parenting) of psychological control and influence that create a "**cross-generational coalition**" with the child against the other parent (Minuchin; Haley).

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<sup>4</sup> Minuchin, S. (1974). Families and family therapy. Harvard University Press.

<sup>5</sup> Kernberg, O.F. (1975). Borderline conditions and pathological narcissism.. New York: Aronson.

## Psychological Control of the Child

The manipulative influence of the allied parent who has formed a cross-generational coalition with the child against the other parent is created through a process of "psychological control." In his book, *Intrusive Parenting: How Psychological Control Affects Children and Adolescents*,<sup>6</sup> published by the American Psychological Association, Brian Barber and his colleague, Elizabeth Harmon, define the psychological control of children by a parent:

"Psychological control refers to parental behaviors that are intrusive and manipulative of children's thoughts, feelings, and attachment to parents." (Barber & Harmon, 2002, p. 15).<sup>7</sup>

Parental psychological control of the child represents a fundamental violation of the psychological integrity of the child.

"The essential impact of psychological control of the child is to violate the self-system of the child." (Barber & Harmon, 2002, p. 24).

In the *Journal of Emotional Abuse*, Kerig (2005)<sup>8</sup> describes the child's surrender to the psychological control of the manipulative parent:

"Rather than telling the child directly what to do or think, as does the behaviorally controlling parent, the psychologically controlling parent uses indirect hints and responds with guilt induction or withdrawal of love if the child refuses to comply. In short, an intrusive parent strives to manipulate the child's thoughts and feelings in such a way that the child's psyche will conform to the parent's wishes." (p. 12)

"In order to carve out an island of safety and responsivity in an unpredictable, harsh, and depriving parent-child relationship, children of highly maladaptive parents may become precocious caretakers who are adept at reading the cues and meeting the needs of those around them. The ensuing preoccupied attachment with the parent interferes with the child's development of important ego functions, such as self organization, affect regulation, and emotional object constancy." (p. 14)

The psychological control of the child has been found to be associated with high levels of inter-parental conflict. In Chapter 3 of *Intrusive Parenting: How Psychological Control Affects Children and Adolescents*, Stone, Buehler, and Barber (2002)<sup>9</sup> describe their

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<sup>6</sup> Barber, B. K. (Ed.) (2002). *Intrusive parenting: How psychological control affects children and adolescents*. Washington, DC: American Psychological Association.

<sup>7</sup> Barber, B. K., & Harmon, E. L. (2002). Violating the self: Parenting psychological control of children and adolescents. In B. K. Barber (Ed.), *Intrusive parenting* (pp. 15-52). Washington, DC: American Psychological Association.

<sup>8</sup> Kerig, P.K. (2005). Revisiting the construct of boundary dissolution: A multidimensional perspective. *Journal of Emotional Abuse*, 5, 5-42.

<sup>9</sup> Stone, G., Buehler, C., & Barber, B. K.. (2002) Interparental conflict, parental psychological control, and youth problem behaviors. In B. K. Barber (Ed.), *Intrusive parenting: How psychological control affects children and adolescents*. Washington, DC.: American Psychological Association.



research on the association of parental psychological control of children and inter-parental conflict:

"Parental psychological control is defined as verbal and nonverbal behaviors that intrude on youth's emotional and psychological autonomy." (p. 57)

"The central elements of psychological control are intrusion into the child's psychological world and self-definition and parental attempts to manipulate the child's thoughts and feelings through invoking guilt, shame, and anxiety. Psychological control is distinguished from behavioral control in that the parent attempts to control, through the use of criticism, dominance, and anxiety or guilt induction, the youth's thoughts and feelings rather than the youth's behavior." (p. 57)

"One important aspect of covert interparental conflict is triangulating children (Minuchin, 1974). This involves active recruitment (even though this activity might be fairly subtle) or implicit approval of child-initiated involvement in the parents' disputes." (p. 56)

In their empirical research on parental psychological control of children, Stone, Buehler, and Barber (2002) found that increased psychological control of children was associated with high inter-parental conflict, and they offer an explanation for this finding.

"The analyses reveal that variability in psychological control used by parents is not random but it is **linked to interparental conflict**, particularly covert conflict. Higher levels of covert conflict in the marital relationship heighten the likelihood that parents would use psychological control with their children." (Stone, Buehler, and Barber, p. 86; emphasis added)

"The concept of triangles "describes the way any three people related to each other and involve others in emotional issues between them" (Bowen, 1989, p. 306). In the anxiety-filled environment of conflict, a third person is triangulated, either temporarily or permanently, to ease the anxious feelings of the conflicting partners. By default, that third person is exposed to an anxiety-provoking and disturbing atmosphere. For example, a child might become the scapegoat or focus of attention, thereby transferring the tension from the marital dyad to the parent-child dyad. Unresolved tension in the marital relationship might spill over to the parent-child relationship through parents' use of psychological control as a way of securing and maintaining a **strong emotional alliance** and level of support from the child. As a consequence, the triangulated youth might feel pressured or obliged to listen to or agree with one parents' complaints against the other. The resulting enmeshment and **cross-generational coalition** would exemplify parents' use of psychological control to coerce and maintain a parent-youth emotional alliance against the other parent. (Haley, 1976; Minuchin, 1974)." (Stone, Buehler, and Barber, 2002, p. 86-87; emphasis added)

## Treatment-Focused Assessment Protocol: Diagnostic Indicators

Every form of child pathology will evidence a specific and distinctive pattern of symptoms. The trans-generational transmission of *pathological mourning* (Bowlby) from the allied narcissistic (or borderline) personality parent (Beck, Kernberg, Millon)<sup>10</sup> in a cross-generational coalition with the child against the other parent (Haley; Minuchin) is no exception.

The pathogenic parenting of an allied parent that creates the child's rejection of a normal-range and affectionally available parent following divorce will be reflected in a set of three definitive diagnostic indicators in the child's symptom display:

**1.) Attachment System Suppression.** The child will evidence a suppression of normal-range attachment bonding motivations toward a normal-range and affectionally available parent. This child symptom identifies the family pathology as an attachment-related form of pathology.

**2.) Personality Disorder Symptoms:** The child's symptom display will evidence a set of five a-priori predicted narcissistic personality traits directed toward the targeted parent. These narcissistic personality features in the child's symptom display represent the "psychological fingerprint" evidence of the psychological control of the child by a narcissistic/(borderline) parent. The *primary case* for these narcissistic personality traits is the allied parent who is transferring these deviant attitudes and beliefs to the child through this parent's psychological influence and psychological control of the child.

**3.) Encapsulated Persecutory Delusion.** The child symptoms will evidence a fixed-and-false belief that is maintained despite contrary evidence (i.e., a delusion) regarding the child's supposed "victimization" by the normal-range parenting of the targeted parent. This symptom evidenced by the child represents an encapsulated persecutory delusion. Again, the *primary case* for this encapsulated persecutory delusion is the allied narcissistic/(borderline) personality parent, and the origins of this fixed and false belief is in the "internal working models" (schemas) of this parent's childhood attachment trauma (Childress, 2015).<sup>11</sup>

A treatment-focused clinical assessment of the pathogenic parenting associated with the trans-generational transmission of disordered mourning should assess for and document the presence or absence of these three diagnostic features in the child's symptom display. The **Diagnostic Checklist for Pathogenic Parenting** (Appendix 1) represents a structured method for documenting the presence or absence of these three diagnostic symptom indicators in the child's symptom display.

---

<sup>10</sup> Beck, A.T., Freeman, A., Davis, D.D., & Associates (2004). *Cognitive therapy of personality disorders*. (2nd edition). New York: Guilford.

Kernberg, O.F. (1975). *Borderline conditions and pathological narcissism*. New York: Aronson.

Millon, T. (2011). *Disorders of personality: introducing a DSM/ICD spectrum from normal to abnormal*. Hoboken: Wiley.

<sup>11</sup> Childress, C.A. (2015). *An attachment-based model of parental alienation: Foundations*. Claremont, CA. Oaksong Press.

### Treatment-Focused Assessment Protocol: Parenting Practices Assessment

In addition to documenting the child's symptom features, the normal-range or problematic parenting of the targeted-rejected parent should also be assessed and documented. The **Parenting Practices Rating Scale** (Appendix 2) is designed to document the results of the clinical assessment regarding the parenting practices of the targeted-rejected parent. Normal-range parenting on the Parenting Practices Rating Scale would be parenting at Levels 3 and 4 along with a rating on the *Permissive to Authoritarian Dimension* within the range from 25 to 75. These ratings of parenting practices are based on the clinical judgement of the assessing mental health professional and are a means to document this professional clinical judgement.

### Treatment-Focused Assessment Protocol: Session Structure

The clinical assessment process is conducted across a set of six to eight targeted clinical assessment sessions.

- **Initial Sessions:** The initial two treatment-focused clinical assessment sessions are to collect history and symptom information from each parent individually.
- **Direct Assessment:** The middle two sessions are a direct assessment of the child's symptoms, either in individual clinical interviews with the child or in parent-child dyadic sessions with the child and targeted parent (at least one dyadic session should be conducted). Clinical probes of the child's symptom features during these sessions can help illuminate the child's symptom display.
- **Parent Response:** The final two sessions are feedback sessions provided to each of the parents to assess the "schemas" of each parent in response to the clinical findings from the prior sessions.

Additional sessions can be added if needed, but typically six to eight sessions should be sufficient to document the presence or absence of the diagnostic indicators of pathogenic parenting associated with the attachment-related pathology of disordered mourning.

### Treatment-Focused Assessment Protocol: Recommended Report Format

Treatment-focused assessments can produce a targeted report for the Court regarding the treatment requirements needed to resolve the family pathology. Two examples of the type of report available from a treatment-focused assessment protocol, one for a confirmed diagnosis of pathogenic parenting and one for a sub-threshold display of child-symptoms, are contained in Appendix 3.

In reports to the Court, it is recommended that the Diagnostic Checklist for Pathogenic Parenting and the Parenting Practices Rating Scale be included with the report for review by the court in its decision making function.

## Treatment-Focused Assessment Protocol: Summary Structure Format

The recommended treatment-focused clinical assessment entails the following protocol:

- 1.) **Focus of Assessment:** To assess for the attachment-related pathology of disordered mourning (Bowlby) involving an allied narcissistic/(borderline) parent (Beck; Kernberg; Millon) who is in a cross-generational coalition with the child against the other parent (Minuchin; Haley).
- 2.) **Diagnostic Checklist for Pathogenic Parenting:** To document the child's symptom features of clinical concern relative to the potential of pathogenic parenting.
- 3.) **Parenting Practices Rating Scale:** To document the normal-range parenting of the targeted parent or document areas of problematic parenting concern to be addressed in the treatment plan.
- 4.) **Assessment Session Structure:** A set of six to eight clinical assessment sessions are recommended to document the presence or absence of the diagnostic indicators of pathogenic parenting by an allied narcissistic/(borderline) parent.

LAW OFFICE OF DANIEL MARKS  
DANIEL MARKS, ESQ.  
Nevada State Bar No. 002003  
NICOLE M. YOUNG, ESQ.  
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Attorneys for Appellant

Electronically Filed  
Jan 29 2019 12:10 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

IN THE MATTER OF THE HONORABLE  
RENA G. HUGHES, EIGHTH JUDICIAL  
DISTRICT COURT, FAMILY DIVISION,  
DEPARTMENT J. COUNTY OF CLARK,  
STATE OF NEVADA.

Case No. 76117

---

Appeal from the Nevada Commission on Judicial Discipline

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**APPELLANT'S APPENDIX**  
**Volume IV of IV**

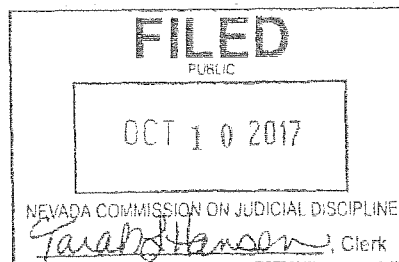
<b><u>DOCUMENT</u></b>	<b><u>VOL. NO.</u></b>	<b><u>PAGE NO.</u></b>
Certified Copy of Findings of Fact, Conclusions of Law and Imposition of Discipline, filed June 18, 2018	IV	APP943-957
Certified Copy of Notice of Appeal, filed June 22, 2018	IV	APP958-960
Commission Exhibit 2- Verified Statement of Complaint by Welthy Silva, dated June 19, 2016	III	APP515-524
Commission Exhibit 3- Verified Statement of Complaint by Steve Sanson, dated December 19, 2016	III	APP525-566
Commission Exhibit 4- Judge Hughes' Responses to Interrogatories, dated May 23, 2017	III	APP567-595
Commission Exhibit 5- Court Minutes from hearing held May 12, 2016 and Order for Supervised Exchange	III	APP596-599
Commission Exhibit 7- Minute Order, dated June 8, 2016	III	APP600-604
Commission Exhibit 8- Order, filed June 14, 2016	III	APP605-610
Commission Exhibit 9- Court Minutes from June 15, 2016, Child Exchange	III	APP611-613
Commission Exhibit 10- Order, filed June 15, 2016	III	APP614-619
Commission Exhibit 11- Court Minutes from July 27, 2016	III	APP620-621
Commission Exhibit 13- Affidavit Seeking Disqualification of Judge Due to Bias or Prejudice, filed January 11, 2017	III	APP622-665
Commission Exhibit 14- Recorded Interview of Judge Hughes, dated January 27, 2017	III	APP666-692
Commission Exhibit 16- Recorded Interview of Welthy Silva, dated February 8, 2017	III	APP693-749
Commission Exhibit 18- Formal Statement of Charges, filed October 10, 2017	IV	APP750-756

<u>DOCUMENT</u>	<u>VOL. NO.</u>	<u>PAGE NO.</u>
Commission Exhibit 19-Verified Response and Answer, filed October 30, 2017	IV	APP757-761
First Amended Order Setting Public Hearing and Notice of Panel Members, Order Regarding Media Access, filed on April 6, 2018	II	APP276-278
Formal Statement of Charges, filed October 10, 2017	I	APP233-239
Judge Hughes' Responses to Interrogatories, dated May 23, 2017	I	APP204-232
Letter from Commission on Judicial Discipline to Judge Hughes regarding Judicial Conduct Complaints, dated April 26, 2017, with Complaints and Investigation File attached	I	APP1-203
Motion in Limine No. 1, dated May 7, 2018	II	APP279-285
Objection to Respondent's Exhibits, dated May 18, 2018	II	APP293-297
Opposition to Motion in Limine No. 1, dated May 9, 2018	II	APP286-292
Order Denying Motion for Expansion of Time to Present Respondent's Defense, filed on April 4, 2018	II	APP267-275
Order Denying Motion to Dismiss Complaint, filed May 25, 2018	II	APP312-321
Order Denying Motion to Transfer Hearing to Las Vegas, Nevada or, in the Alternative, to do Said Hearing by Video, filed on April 4, 2018	II	APP253-266
Order Granting in Part and Denying in Part Motion in Limine No. 1, filed on May 23, 2018	II	APP303-311
Order Setting Public Hearing and Notice of Panel Members Order Regarding Media Access, filed on January 25, 2018	II	APP250-252
Prehearing Order, filed January 5, 2018	I	APP245-249

<b><u>DOCUMENT</u></b>	<b><u>VOL. NO.</u></b>	<b><u>PAGE NO.</u></b>
Respondent Exhibit A- JAVS Video of 7/28/16 Hearing (CD not attached)	IV	APP763
Respondent Exhibit C- Character Letters	IV	APP764-784
Respondent Exhibit D- Chronology of Silva Hearings	IV	APP785-791
Respondent Exhibit E- District Court, Family Division Court Minutes	IV	APP792-840
Respondent Exhibit F- Documentation of Keisha Weiford	IV	APP841-873
Respondent Exhibit G- Additional Character Letters	IV	APP874-879
Respondent's List of Exhibits	IV	APP762
Respondent's Proposed Exhibit B- Information Provided to Family Court Judges Regarding Parental Alienation (Not Admitted at Hearing)	IV	APP880-933
Respondent's Proposed Exhibit C- Character Letters (Not Admitted at Hearing)	IV	APP934-942
Response to Objection to Respondent's Exhibits, dated May 23, 2018	II	APP298-302
Transcript of Proceedings, dated May 30, 2018	II	APP322-499
	III	APP500-514
Verified Response and Answer, filed October 30, 2017	I	APP240-244



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 Prosecuting Officer for the Nevada  
 Commission on Judicial Discipline



BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE

IN THE MATTER OF THE HONORABLE  
 RENA G. HUGHES, Eighth Judicial District Court,  
 Department J - Family Court,  
 County of Clark, State of Nevada,

CASE NO. 2016-113-P

Respondent.

FORMAL STATEMENT OF CHARGES

COMES NOW Thomas C. Bradley, Prosecuting Officer for the Nevada Commission on Judicial Discipline ("Commission" or "NCJD"), established under Article 6, Section 21 of the Nevada Constitution, who, in the name of and by the authority of the Commission, as found in NRS 1.425 - 1.4695, files this Formal Statement of Charges and informs the Respondent, the Honorable Rena G. Hughes, Eighth Judicial District Court, County of Clark, State of Nevada ("Respondent"), that the following acts were committed by Respondent and warrant disciplinary action by the Commission under the Revised Nevada Code of Judicial Conduct ("the Code").

FACTUAL ALLEGATIONS

Respondent knowingly, and in her capacity as a district court judge in and for the Eighth Judicial District Court, in Clark County, State of Nevada, engaged in the following acts or a combination of these acts ("acts or actions"):

1 Welthy Silva ("Mother" or "Complainant") and Rogerio Silva ("Father") were divorced in  
2 2013 in Clark County. See Case No. D-12-467820-D. The parties had one minor child. In the  
3 original Decree of Divorce, the Court granted the Mother primary physical custody and the Father  
4 weekend visitation of the child. The parties were granted joint legal custody.

5 Beginning in May 2015, the parties began litigating a number of issues concerning the  
6 well-being of their child and whether the Mother was interfering with the Father's visitation rights.  
7 During the next twelve months, Respondent held a number of hearings on these issues.

8 On May 12, 2016, an in-person hearing was held. During the hearing, the parties argued  
9 the issue whether the Mother was interfering with the Father's rights of visitation. Respondent then  
10 advised Mother that she was close to being held in contempt and being incarcerated. At the  
11 conclusion of the hearing, the Respondent ordered that Father shall have visitation with the child  
12 on the upcoming weekend and that the parties shall exchange the child under the supervision of  
13 Donna's House Central, a program used by the Clark County Family Court to facilitate custody  
14 exchanges.

15 On May 14, 2016, the Mother allegedly failed to comply with the recently ordered  
16 visitation and on May 17, 2016, the Father's counsel filed a Motion to place the matter back on  
17 calendar regarding the visitation. On June 8, 2016, Respondent issued a Minute Order detailing  
18 the visitation issues. The Respondent concluded that, "[t]his Court finds that Plaintiff [Mother] is  
19 in contempt of the Court's order to facilitate visitation on weekends with the Father, AN ORDER  
20 TO SHOW CAUSE SHALL ISSUE."

21 The Minute Order further stated, "[m]other shall bring the minor child to Dept. J, Court  
22 room [sic] #4, on June 15, 2016 at 1:30 p.m. If the Mother fails to deliver the minor child to the  
23 courtroom on June 15, 2016, she shall be deemed in further contempt of Court, and sentenced to  
24 twenty-five (25) days incarceration. If the Mother fails to appear, a bench warrant shall issue."  
25 The Minute Order also addressed other Order to Show Cause issues that were not related to  
26 visitation, and stated in closing, "[t]he Order to Show Cause Hearing shall be scheduled for July  
27 28, 2016 at 1:30 p.m."

1 Mother arrived with her minor child at the scheduled hearing on June 15, 2016.  
2 Respondent ordered all parties, except the minor child, to leave the courtroom, and Respondent  
3 addressed the child for nine (9) minutes off the record. Complainant was not allowed to return to  
4 the courtroom. In Complainant's absence, Respondent awarded the Father temporary sole legal  
5 and physical custody, terminated the Father's child support obligation, ordered the Mother to pay  
6 the statutory minimum child support to the Father, and the Mother was to have no contact with the  
7 minor child.

8 The minor child screamed and cried during the entire process while the Father remained  
9 impassive at his counsel table. Respondent addressed the crying minor child by stating that the  
10 change in custody occurred because the Mother and minor child were not cooperative with the  
11 Court ordered visitations. Respondent further stated that if the minor child refused to go with the  
12 Father she would end up in Child Haven, which Respondent referred to as a jail for kids.

13 At the court proceeding on June 15, 2016, no evidence or testimony was entered into the  
14 record regarding the change of custody, change in child support or the finding of contempt. No  
15 Order to Show Cause issued regarding the failure to facilitate visitation or notice regarding the  
16 change of custody and/or child support, and no hearing was held.

17 The finding of contempt was not in accordance with Nevada law in one or more of the  
18 following respects:

- 19 (1) Respondent held Welthy Silva in contempt without due process and an opportunity to  
20 be heard; and  
21 (2) Respondent's penalty for contempt violated Nevada law in that the Respondent sanctioned  
22 Welthy Silva by changing custody and awarding sole physical and legal custody to the  
23 Father.

24 The Respondent's actions described above violated the Code, including Judicial Canon 1,  
25 Rule 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to promote  
26 confidence in the judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to  
27 perform all duties of her judicial office fairly and impartially; Rule 2.5(A) failing to perform  
28

1 judicial and administrative duties competently and diligently; Rule 2.6(A), failing to accord a  
2 party's right to be heard; and Rule 2.8 (B), failing to be patient, dignified, and courteous to litigants  
3 and witnesses. The Respondent abused her judicial authority by engaging in any or all, or any  
4 combination of, the acts listed above.

#### 5 COUNT ONE

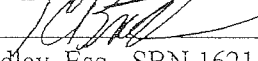
6 By engaging in the acts, or combination of the acts, listed above, by holding Complainant  
7 Welthy Silva in contempt of court on June 8, 2017, (1) without due process and a right to be heard  
8 and (2) sanctioning Welthy Silva for contempt by changing custody and awarding the Father sole  
9 physical and legal custody, Respondent violated the Code, including Judicial Canon 1, Rule 1.1,  
10 failing to comply with the law, including the Code; Rule 1.2, failing to promote confidence in the  
11 judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to perform all duties  
12 of her judicial office fairly and impartially; Rule 2.5(A) failing to perform judicial and  
13 administrative duties competently and diligently; and Rule 2.6(A), failing to accord a party's right  
14 to be heard. The Respondent abused her judicial authority by engaging in any or all, or any  
15 combination of, the acts listed above.

#### 16 COUNT TWO

17 By engaging in the acts, or combination of the acts, listed above, in failing to be patient,  
18 dignified and courteous to Welthy Silva and her minor child and provide them with due process  
19 and an opportunity to be heard, Respondent violated the Code, including Judicial Canon 1, Rule  
20 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to promote confidence in  
21 the judiciary; Canon 2, Rule 2.2, failing to uphold and apply the law and failing to perform all  
22 duties of her judicial office fairly and impartially; Rule 2.5(A) failing to perform judicial and  
23 administrative duties competently and diligently; Rule 2.6(A), failing to accord a party's right to  
24 be heard; and Rule 2.8 (B), failing to be patient, dignified, and courteous to litigants and witnesses.  
25 The Respondent abused her judicial authority by engaging in any or all, or any combination of, the  
26 acts listed above.

1 Based on the information above, the Commission shall hold a public hearing on the merits  
2 of these facts and Counts pursuant to NRS 1.4673 and, if violations as alleged are found to be true,  
3 the Commission shall impose whatever sanctions and/or discipline it deems appropriate pursuant  
4 to NRS 1.4677 and other Nevada Revised Statutes governing the Commission.

5  
6 Dated this 9 day of October, 2017.

7  
8 Submitted by:   
9 Thomas C. Bradley, Esq., SBN 1621  
Prosecuting Officer for the NCJD

STATE OF NEVADA )  
 ) ss  
COUNTY OF WASHOE )

THOMAS C. BRADLEY, ESQ. being first duly sworn under oath, according to Nevada law, and under penalty of perjury, hereby states:

1. I am an attorney licensed to practice law in the State of Nevada. I have been retained by the Nevada Commission on Judicial Discipline to serve in the capacity of Prosecuting Officer in the matter of the Honorable Rena G. Hughes, Case Nos. 2016-113-P.

2. I have prepared and reviewed this Formal Statement of Charges against the Honorable Rena G. Hughes and, pursuant to the investigation conducted in this matter, and based on the contents of that investigation and following reasonable inquiry, I am informed and believe that the contents of this Formal Statement of Charges are true and accurate.

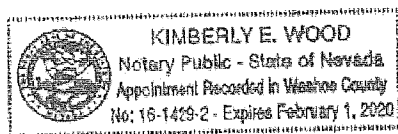
Dated this 9 day of October, 2017.

  
THOMAS C. BRADLEY, ESQ.

Subscribed and sworn to before me, a Notary Public

this 9<sup>th</sup> day of October, 2017.

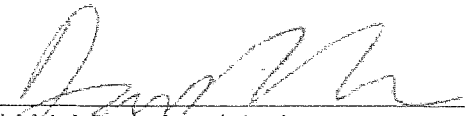
By:   
NOTARY PUBLIC



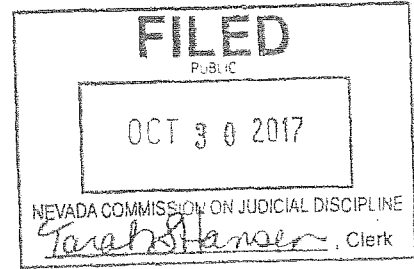
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Formal Statement of Charges was placed in the  
U.S. mail, postage pre-paid, on this 10 day of October, 2017.

Hon. Rena Hughes  
Family Court House, Dept. J  
601 North Pecos Road  
Las Vegas, NV 89155

By:   
David McIntosh, Legal Assistant to  
Thomas C. Bradley, Esq., Prosecuting Officer for NCJD

1 WILLIAM B. TERRY, ESQ.  
Nevada State Bar No. 001028  
2 WILLIAM B. TERRY CHARTERED  
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3 Las Vegas, Nevada 89101  
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4 (702) 385-9788 (Fax)  
Info@WilliamTerryLaw.com  
5 Attorney for Respondent



ORIGINAL

BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE

11 IN THE MATTER OF THE HONORABLE  
RENA G. HUGHES, Eighth Judicial District  
12 Court, Department J - Family Court,  
County of Clark, State of Nevada


Case No. 2016-113-P

Respondent.

VERIFIED RESPONSE AND ANSWER

16 COMES NOW, the Respondent, RENA G. HUGHES, Judge the Eighth Judicial District Court,  
17 by and through her counsel, WILLIAM B. TERRY, ESQ., of the law offices of WILLIAM B. TERRY,  
18 CHARTERED and files the instant answer, defenses and mitigating circumstances in reference to the  
19 Formal Statement of Charges filed against her.

WILLIAM B. TERRY, CHARTERED

  
WILLIAM B. TERRY, ESQ.  
Nevada Bar No. 001028  
WILLIAM B. TERRY, CHARTERED  
530 South Seventh Street  
Las Vegas, Nevada 89101  
(702) 385-0799  
Attorney for Respondent

WILLIAM B. TERRY, CHARTERED  
530 South Seventh Street  
Las Vegas, Nevada 89101  
(702) 385-0799



FACTUAL ALLEGATIONS

In answering the factual allegations set forth in the Formal Statement of Charges, the Respondent denies she violated Canons 1 and 2 of the Revised Code of Judicial Conduct ("the Code"). Further, the Respondent denies she violated Canon 1, Rule 1.1 and Rule 1.2; Canon 2, Rule 2.2, Rule 2.5(A), Rule 2.6(A) and 2.8(B).

COUNT ONE

In answering those allegations set forth in Count One, the Respondent does deny that she violated Canon 1, Rule 1.1, failing to comply with the law, including the Code; and Rule 1.2, failing to promote confidence in the judiciary. She further denies that she violated Canon 2, Rule 2.2, failing to uphold and apply the law and failing to perform all duties of her judicial office fairly and impartially; Rule 2.5(A), failing to perform judicial and administrative duties, competently and diligently; and Rule 2.6(A), failing to accord a party's right to be heard. She further denies that she abused her judicial authority by engaging in any or all, or any combination of, these rules.

COUNT TWO

In answering those allegations set forth in Count Two, the Respondent does deny that she violated Canon 1, Rule 1.1, failing to comply with the law, including the Code; Rule 1.2, failing to promote confidence in the judiciary. Respondent further denies that she violated Canon 2, Rule 2.2, failing to uphold and apply the law and failing to perform all duties of her judicial office fairly and impartially; Rule 2.5(A) failing to perform judicial and administrative duties competently and diligently; Rule 2.6(A), failing to accord a lawyer's right to be heard; and Rule 2.8(B), failing to be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity. She further denies that she abused her judicial authority by engaging in any or all, or any combination of these rules.

AFFIRMATIVE DEFENSES

In Count One, the Formal Statement of Charges fails to specifically allege how Respondent's course of conduct violated each Canon alleged.

In Count Two, the Formal Statement of Charges fails to specifically allege how Respondent's course of conduct violated each Canon alleged.

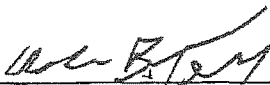
MITIGATING CIRCUMSTANCES

In answering the Formal Statement of Charges, the Respondent does assert that there are mitigating circumstances that are applicable to her including, but not limited to, the following:

- (1) The absence of a prior disciplinary record;
- (2) The absence of a dishonest and selfish motive;
- (3) Cooperation with the Judicial Ethics Panel;
- (4) The Respondent's good character and good reputation;
- (5) Interim rehabilitation;
- (6) Remorse; and
- (7) Any and all other mitigating circumstances which the Respondent shall raise.

DATED this 25<sup>th</sup> day of October, 2017.

WILLIAM B. TERRY, CHARTERED

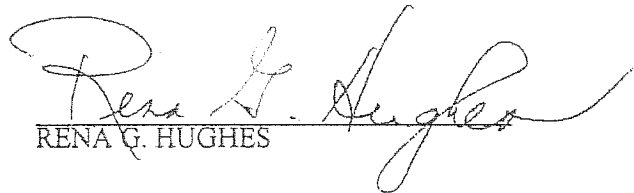
  
WILLIAM B. TERRY, ESQ.  
Nevada Bar No. 001028  
WILLIAM B. TERRY, CHARTERED  
530 South Seventh Street  
Las Vegas, Nevada 89101  
(702) 385-0799  
Attorney for Respondent

VERIFICATION

STATE OF NEVADA }  
COUNTY OF CLARK } SS.

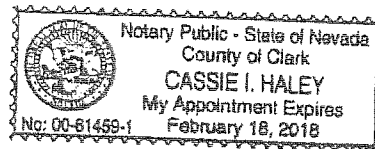
RENA G. HUGHES, being first duly sworn, deposes and says:

That he is the Respondent in the above-entitled action; that he has read the foregoing Verified Response and Answer and knows the contents thereof; that the same is true of her own knowledge except for those matters therein contained stated upon information and belief; and as to those matters, she believes them to be true.

  
RENA G. HUGHES

SUBSCRIBED and SWORN to before me this 25 day of October, 2017.

  
NOTARY PUBLIC in and for said County and State



CERTIFICATE OF SERVICE

I hereby certify that on the 25<sup>th</sup> day of October, 2017, I, as an employee of WILLIAM B. TERRY, CHARTERED, caused to be served via email and by first class mail, a copy of the foregoing VERIFIED RESPONSE AND ANSWER with postage fully prepaid thereon, by depositing the same with the U.S. Postal Service, addressed as follows:

Thomas C. Bradley, Esq.  
448 Hill Street  
Reno, Nevada 89501  
Tom@TomBradleyLaw.com  
Prosecuting Officer

  
As an employee of William B. Terry, Chartered

WILLIAM B. TERRY, CHARTERED  
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1 WILLIAM B. TERRY, ESQ.  
Nevada State Bar No. 001028  
2 ALEXANDRA ATHMANN-MARCOUX, ESQ.  
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6 Attorney for Respondent

NEVADA COMMISSION ON JUDICIAL DISCIPLINE  
STATE OF NEVADA

10 In the Matter of )  
11 THE HONORABLE RENA HUGHES, ) CASE NO. 2016-113-P  
Eighth Judicial District Court, Family Division,  
12 Department J, County of Clark, State of Nevada,  
13 Respondent.

RESPONDENT'S EXHIBITS

- 16 A. Disc Containing JAVS Video from Hearing on July 28, 2016 ..... N/A  
17 B. \* Information Provided to Family Court Judges Regarding Parental  
Alienation Also Referred to as Pathogenic Parenting ..... R0001 - R0054  
18 C. \* Character Letters ..... R0055 - R0095  
19 D. Chronology of Silva Hearings ..... R0096 - R0102  
20 E. District Court, Family Division Court Minutes ..... R0103 - R0151  
21 F. Documentation of Keisha Weiford, MS, MFT ..... R0152 - R0184  
22 G. Additional Character Letters ..... R0185 - R0190

23 \*These records, or a portion of them, were not admitted as evidence at the hearing.  
24 Please see hearing transcript pages 5-6.

Respondent's Exhibit A  
JAVS video of  
7/28/16 hearing

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800-456-3453  
Item # C05  
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EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION  
FAMILY COURTS & SERVICES CENTER  
601 NORTH PECOS ROAD  
LAS VEGAS, NEVADA 89101-2408

REBECCA L. BURTON  
DISTRICT JUDGE

DEPARTMENT C  
(702) 455-5992  
FAX: (702) 380-2839

May 14, 2018

To the Judicial Discipline Committee:

Re: Honorable Rena G. Hughes

I have been asked to write this letter by the Honorable Rena G. Hughes to describe my experience with her.

I practiced exclusively in the field of family law for 22 years prior to taking the bench myself in January 2015. For 25 years I have known Judge Hughes both personally and professionally.

I met Judge Hughes when we were both practicing family law as young lawyers. Attorney Hughes was diligent, prepared, knowledgeable and serious about her job. I was impressed. We continued to cross paths professionally over the years, and her performance was always the same.

Eventually, we became personal friends. I began to know Ms. Hughes as a kind, big hearted, and compassionate person. I learned that she was involved in the community with seniors through her church. Ms. Hughes taught an elderly gentleman how to read and helped him with a pension issue. Ms. Hughes took elderly folks on errands and kept them company when they had no one else. I do not know how she managed the time, because she continued to be a diligent and professional lawyer with a good reputation in the community.

As a colleague, I know that Judge Hughes continues to take her job very seriously. Judge Hughes remains compassionate and devoted to making good decisions for families and cares deeply about the children most of all.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rebecca L. Burton".

Rebecca L. Burton

District Court Judge

Family Division, Dept. C

*S. Mark Burr*  
237 Creek Ridge Chase  
Milton, Georgia 30004  
404.293.4403

May 5, 2018

Nevada Commission on Judicial Discipline  
P.O. Box 48  
Carson City, Nevada 89702

Re: In the Matter of the Honorable Rena G. Hughes;  
Case No. 2016-113-P;  
Public Hearing Date May 29, 2018

Dear Members of the Commission:

Please accept this letter in support of the Honorable Rena G. Hughes, currently serving as an Eighth Judicial District Court Judge, Family Division, Department J, in the court system of Clark County, Nevada.

I have had the distinct privilege of knowing Judge Hughes for nearly 20 years. During this time, I have unfailingly found her to be of the utmost integrity, the highest professionalism, and possessing a most exceptional dedication to know, understand and properly apply relevant law to her cases and matters, both as a practicing attorney and during her service as a Family Court Judge.

To be fair, I do not practice law in Nevada. Nor do I practice family law, although I stand in awe of those who do. Nonetheless, as an attorney of nearly 30 years and in good standing in three (3) jurisdictions (Georgia, Alabama and Texas), I do know when I am in the presence of lawyers and judges having the temperament, integrity and professionalism expected and demanded by the legal profession. It is without hesitation or reservation that I can affirm for the Commission that Judge Hughes possesses, practices, and continually follows these essential values. Her unassailable dedication to these values is consistent with the highest traditions and expectations of the bench and the bar, and her consistent practice of these values undoubtedly guides and benefits both her service as a Family Court Judge and the litigants who have the good fortune to appear before her.

Thank you for your consideration of the foregoing.

Very truly yours,



S. Mark Burr



LAW OFFICES OF

KEN R. ASHWORTH  
ASSOCIATES

May 1, 2018

State of Nevada  
Commission on Judicial Discipline

Re: Rena Hughes, Family Court District Judge, Dept. J

To Whom It May Concern:

I have known Rena Hughes for almost 20 years through the Las Vegas legal community. I have known her always to be an ethical and well-reasoned attorney, and more importantly, an honest and caring person. I believe strongly in her good character, and gladly express that opinion here.

Judge Hughes is the only candidate that I endorsed in the campaign for Family Court District Judge. I even gave a campaign fund raiser at my office to build support for her, and I was proud of her election and of how she handles cases that come before her. I have known Judge Hughes to always be level-headed and to put other people before herself. She is someone who believes in family, and as a father of six children, I believe she always tries to listen to and care for children and to do what is best for them.

Although you are scrutinizing her for one incident, and please realize that is what it is - "one incident," she is a judge and a person who normally does what is correct. If she does make a mistake, she analyzes the mistake and learns from her analysis of said mistake. I believe with every confidence that Ms. Hughes is a great judge, and that the action she portrayed is not who she is and will never again occur in her judicial career. I further believe that this isolated incident should not be used to diminish her ability to be a family court judge or used as a defining moment in her career, as she has had many positive moments as a District Court Judge.

If you have any questions or wish to discuss the foregoing, please do not hesitate to give us a call.

Sincerely,



Ken R. Ashworth, Esq.

KRA/sj



NAIMI & CERCEO  
FAMILY LAW

Jason Naimi, Esq.  
Robert Cerceo, Esq.  
Francesca Resch, Esq.

April 19, 2018

*Via Email and Regular Mail: [sarah@williamterrylaw.com](mailto:sarah@williamterrylaw.com)*

William B. Terry, Chtd.  
530 South Seventh Street  
Las Vegas, Nevada 89101

State of Nevada  
Commission on Judicial Discipline  
P.O. Box 48  
Carson City, Nevada 89702

Re: Honorable Judge Hughes

To Whom it May Concern:

My name is, Robert Cerceo, and in an effort to support Judge Rena G. Hughes, I wish to affirm that I have known Judge Hughes both professionally and personally since 1996. I have worked with her as a peer, initially in the same office in the late 1990s, and then as opposing counsel since 2000. Since her election to the bench, I have experienced Judge Hughes to be prepared, open minded, direct with counsel, and fair in her decisions. I believe that she puts forth great care and effort to act both ethically and professionally at all times. I highly endorse the Honorable Judge Hughes.

Very truly yours,

ROBERT CERCEO, ESQ.

State Bar of Nevada Board Certified Family Law Specialist  
President, Nevada Chapter of the American Academy of Matrimonial Lawyers  
Former chair of the Family Law Section, State Bar of Nevada

RC/jnm

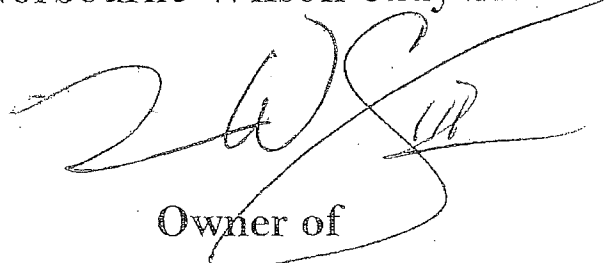
March 11, 2018

To whom it may concern.

I have known Judge Rena Hughs for approximately four years. Mrs. Hughs was originally my attorney and represented me in a divorce case. She has remained a friend of mine since. I personally can vouch for her character, ability, temperament beyond approach. The one thing that always has stayed in my mind is the answer to the question I ask her why she wanted to leave the law firm she represented to run for the court. And I quote "I can make a difference". I would always trust her decisions based on the merits of the case and make fair rulings. If I can be of further assistance, please do not hesitate to call at (702) 381-0903.

Sincerely,

Norbourne Wilson Cady III

A handwritten signature in black ink, appearing to read 'NWC III', is written over a large, stylized circular flourish.

Owner of

Fashion Travel LLC

## PECOS LAW GROUP

### Attorneys

Bruce I. Shapiro  
Paul A. Lemcke  
Shann D. Winesett\*  
Jack W. Fleeman

\*Also Licensed in California

Kirby Wells  
Of Counsel

### *A Professional Law Corporation*

8925 South Pecos Road, Suite 14A  
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Amalia Alvarez Sciscento  
Crystal Gorzalski, J.D.  
Hailey Moore  
Stephanie Pitts

Janine Shapiro, C.P.A., C.D.F.A.  
Office Administrator

March 23, 2018

William B. Terry, Esq.  
530 S. Seventh Street  
Las Vegas, Nevada 89101

Re: Judge Rena G. Hughes

Dear Mr. Terry:

I submit this letter in support of Judge Rena G. Hughes. I have been practicing law for almost 25 years with my primary practice focus in the area of family law. I am a certified family law specialist and currently sit on Family Law Executive Council for the State Bar of Nevada. I am also a member of the State Bar's attorney discipline board.

I have known Judge Hughes for several years. My first experience with Judge Hughes was as opposing counsel. As a practicing attorney, Judge Hughes was knowledgeable, diligent and a staunch advocate for the clients she represented.

During the 2014 election cycle, I too was running for a family court judgeship. Being a candidate myself, I could not publicly support Judge Hughes' campaign. Privately, however, it was my hope that Judge Hughes would be elected.

Since her election, I have appeared before Judge Hughes on multiple occasions. In my appearances before Judge Hughes, I have found her to be well-prepared and decisive. When Judge Hughes takes the bench, she brings with her common sense and a thorough understanding of family law. Regardless of whether Judge Hughes rules in my favor, her decisions, in my experience, have been reasonable and always supported by both the law and the applicable facts.

In my opinion, Judge Hughes is an effective and valuable member of the family court system. If asked, I would most certainly support Judge Hughes should she seek reelection.

Sincerely,



SHANN D. WINESETT, ESQ.

SDW/ar

SANDRA JUSTICE, RPh  
8636 VIVID VIOLET AVENUE  
LAS VEGAS, NV 89143

March 9, 2018

William B. Terry, Esquire  
530 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101

Dear Mr. Terry,

My name is Sandra Justice. I am writing on behalf of my friend, Rena Hughes. I have considered Rena a close friend and confidante for several years. I have found her to be considerate, loyal, and trustworthy as a friend. In addition to these qualities I seek her advice often because I find her counsel to always be thoughtful and appropriate. I feel very fortunate to be her friend and find it a privilege to provide her with this reference.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Justice". The signature is fluid and stylized, with a large loop at the end.

Sandra Justice

Cramer Law Firm  
Michancy M. Cramer, Esq.  
228 S 4<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Las Vegas, NV 89101  
T: 702-483-8544, F: 702-966-3727  
michancy@cramerlawlv.com

February 27, 2018

State of Nevada  
Commission on Judicial Discipline  
PO Box 48  
Carson City, NV 89702

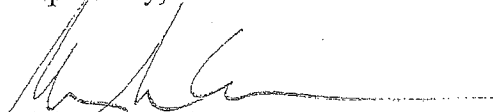
Dear Commission Members,

I am writing to express my support for the Honorable Judge Rena Hughes. I practice primarily in family law and have appeared in Judge Hughes' courtroom many times in recent years. I have always found Judge Hughes to be a patient, knowledgeable jurist.

I am aware of the incident at issue and I do not believe that it shows Judge Hughes' true nature. In my experience Judge Hughes ensures that both sides are heard. During hearings she can usually be found on the bench taking detailed notes and listening intently to the matter before her. When deciding cases she has demonstrated a thorough knowledge of the law. She can be counted on to apply the law and to exercise judicial discretion with honor and integrity.

It is my opinion that the matter before this Commission represents an anomaly and is not reflective of Judge Hughes. I am hopeful that this Commission can consider Judge Hughes as a whole person and not the person depicted during one, unfortunate incident. She is a credit to the bench and to the Eighth Judicial District Court. If you have any questions or if I can be of further service, please do not hesitate to contact me.

Respectfully,



Michancy M. Cramer, Esq.

# PRUDHOMME LAW OFFICE

ATTORNEYS AT LAW

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ALEXANDRA C. CHRYSANTHIS  
LICENSED IN NV AND CA



2/19/2018

TO WHOM IT MAY CONCERN:

Re: RENA G. HUGHES Las Vegas, NV

I have known Rena for a lengthy period of time; both as a friend and as a professional.

I find her even tempered and a person of a fair disposition. In dealing with her I have found that she is a level headed person and acts fairly in her professional actions as a Family Court Judge.

Respectfully,

A handwritten signature in cursive script, appearing to read "M. Edwin Prudhomme".

**MATTHEW J. YARBROUGH**

9009 Square Knot Avenue  
Las Vegas, Nevada 89143  
(702) 809-7776  
[Mathu.var@gmail.com](mailto:Mathu.var@gmail.com)

February 16, 2018

William B. Terry, Esq.  
The Law Offices of William B. Terry  
530 South Seventh Street  
Las Vegas, Nevada 89101

Re: The Honorable Judge Rena Hughes

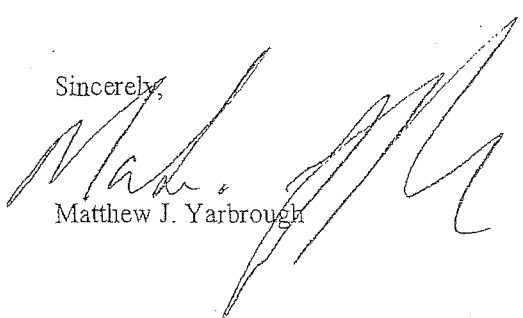
Dear Mr. Terry,

It has been five years since I have known Judge Hughes, as both, a close friend and a Judge. I was first introduced to Judge Hughes during the 2014 campaign cycle, where she was running for Family Court, Department J.

Judge Hughes is one of the most disciplined and most knowledgeable Family Court candidates I've ever known. Her humanity towards people speaks volumes about her hard work and dedication. During her campaign she continually demonstrated her ability to be juridical, while still maintaining her responsibilities to her clients.

I would also like to add that, Judge Hughes is a compassionate human being with praiseworthy perseverance and energy. I believe that she has the proper judicial temperament and would continue being an indispensable asset to The Eighth Judicial District Court.

Sincerely,

  
Matthew J. Yarbrough



Rosemarie Harris  
Nail Technician  
9901 Trailwood Dr. #1032  
Las Vegas, NV 89134  
February 16, 2018

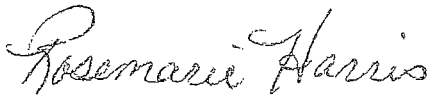
William B. Terry  
Attorney at Law  
530 S 7<sup>th</sup> St.  
Las Vegas, NV 89101

To Whom it may concern:

I have had the pleasure of knowing Her Honor Rena Hughes for over 15 years. I met her at the Salon I worked in as her Nail Technician and we soon became close friends.

In that time, I have known Rena to be a very honest, caring and compassionate person. She is dedicated to her work as a Judge and helping people. Whether it's supporting a friend through personal situations, taking in a stray dog or cat or volunteer work, Rena has always gone above and beyond duty. She is an asset to the community.

Sincerely,

A handwritten signature in cursive script that reads "Rosemarie Harris". The ink is dark and the signature is fluid.

Rosemarie Harris

THE DICKERSON KARACSONYI LAW GROUP

ROBERT P. DICKERSON  
JOSEF M. KARACSONYI  
NATALIE E. KARACSONYI  
SABRINA M. DOLSON  
JONATHAN S. CHUNG

A PROFESSIONAL CORPORATION OF ATTORNEYS AT LAW  
HILLS CENTER NORTH BUSINESS PARK  
1745 VILLAGE CENTER CIRCLE  
LAS VEGAS, NEVADA 89134

AREA CODE (702)  
TELEPHONE 388-8600  
FAX 388-0210

May 10, 2018

William B. Terry, Esq.  
William B. Terry Chartered  
530 South Seventh Street  
Las Vegas, Nevada 89101  
info@williamterrylaw.com

SENT VIA U.S. AND ELECTRONIC MAIL

Re: *The Honorable Rena G. Hughes*

Dear Mr. Terry:

I am writing to express my support for Judge Rena Hughes at her upcoming hearing before the Nevada Commission on Judicial Discipline ("Commission").

I met Judge Hughes in 2008, when she was opposing counsel on a difficult child custody matter. Although I was a young attorney at the time, licensed less than two (2) years, Judge Hughes was professional and friendly towards me. She did not treat me in the same condescending manner some attorneys did when they saw that I had a "10,000" bar number and was a new attorney.

Judge Hughes and I became friends, and not too long thereafter I had the pleasure of working with Judge Hughes for several years at two (2) different law firms. I was working with Judge Hughes at the time she decided to become a candidate for the bench, during the time she campaigned for the bench, and when she won her election. I have since had the opportunity to appear before Judge Hughes on a number of occasions.

Having worked with Judge Hughes, I was able to witness first hand her vast knowledge of family law, her passion for family law, her unparalleled ethics, and her desire for justice to be served in all family law cases. In fact, it was Judge Hughes' desire to promote justice that led her to pursue a position in the judiciary in the first place.

I will never forget the day that Judge Hughes informed me she had decided to run for the position of District Court Judge in the Family Division of the Eighth Judicial District Court. Judge Hughes indicated that she and The Honorable Rebecca Burton

William B. Terry, Esq.

May 10, 2018

Page 2

(who at the time was also a practicing family law attorney) had been talking about the issues in Family Court, and the constant complaints practitioners had about the inconsistencies between the various members of the judiciary, and the administration of justice. She told me that she and Judge Burton decided then and there that rather than continue to complain, they would run for District Court Judge in order to make a difference and to attempt to improve the bench. Judge Hughes had a strong desire to make a positive difference on the judiciary and on the administration of justice in the Family Court, and it was clear to me on that day that she was going to work as hard as she could if she was elected. Judge Hughes' passion for family law and belief in her cause drove her to campaign night and day for her seat, and ultimately to defeat an incumbent judge.

As previously stated, since Judge Hughes took the bench, I have had the opportunity to appear before her on a number of occasions. She has entered decisions for and against my clients. In every case, her decision was fair, impartial, and well-reasoned. In every case, she treated all parties and counsel involved with respect and with an even temperament. I can state categorically that Judge Hughes has improved the quality of the judiciary and the judicial process in Family Court.

I know that this disciplinary action must be very difficult for Judge Hughes. She is passionate about her position as Judge, and passionate about enhancing the quality of the judiciary. As much as any other Judge, she strives to uphold the law and administer justice. That is why she joined the bench. Judge Hughes was a well-known and well-respected family law attorney who could have continued to prosper practicing family law, but she sought a higher calling. I hope that the Commission will see in Judge Hughes the passion, compassion, and qualities that we as practitioners see, and the positive effects she has had on the quality of the judiciary.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Josef Karacsonyi". The signature is fluid and cursive, with the first name "Josef" written in a larger, more prominent script than the last name "Karacsonyi".

Josef Karacsonyi, Esq.

***LAW OFFICES OF  
VALARIE I. FUJII & ASSOCIATES***

704 South Sixth Street

Las Vegas, Nevada 89101

Phone: (702) 341-6464 & Facsimile: (702) 734-6464

[vip@fujiiawlv.com](mailto:vip@fujiiawlv.com)

February 16, 2018

Re: The Honorable Judge Rena Hughes

To Whom It May Concern:

I am an AV sole practitioner, with over 20 years experience. With my emphasis being litigation, I have had the opportunity to appear regularly before all Courts in the State of Nevada, including criminal and civil jury trials, justice court, business court, federal court, arguing before both the Supreme Court and the recently formed Court of Appeals. I do not know Judge Hughes personally, nor have we ever socialized inside or outside of Court. However, I am taking this opportunity, as a female, a person of color, and advocate to comment on the recent events surrounding Judge Hughes that some have questioned.

Family Court is like no other forum. There is a "one judge one family" focus which puts a tremendous burden on the Family Court Judges to recall, relive, resuscitate and remember the same litigants repeatedly, over and over for years! It is not like a jury trial which happens only one time and then it's over. There, the judges make periodic evidentiary rulings and decisions on motions, but it's still just one case. Family law is a completely different animal. The hearings are video recorded (unlike other courts) and every word uttered by the judge is subject to scrutiny by video citation. Unlike other states, our judges are generally elected officials (absent appointments by the Governor), but this too, leaves into question, their qualifications, experience and ability to make fair and impartial decisions. Therefore, what I am about to say comes from my aforementioned history as well as my personal experience before the Honorable Rena Hughes.

Judge Hughes may not be the most "popular" judge on the bench. She does not engage in idle chit chat with either counsel or the litigants. Some may say she is not "pleasant" in her demeanor while in session, but I disagree. Her demeanor in court is akin to Federal Court. It is formal and professional.

She is one out of many judges that actually reads the pleadings! She knows the law! She is the only Judge who sent back to my office an uncontested divorce decree three (3) times, because I failed to include the recent change in legislation, and she has kicked back several of my orders that failed to contain pertinent findings. I have done several trials before Judge Hughes and an attorney has to be prepared in her courtroom, because she is. She is also one of the only Judges that drafts her own findings of facts and conclusions of law (something not done in other courts). I know great judges that were once just so-so lawyers. I also know that when I am

Re: Rena Hughes  
February 16, 2018  
Page 2

before Judge Hughes, I better be prepared to argue apart from my pleadings because she has researched and read the history of the case. She is meticulous.

Every year, the lawyers have an opportunity to evaluate members of the judiciary. "Everyone" loves this one judge who is "so nice, soft spoken, courteous and sweet" to counsel and the litigants. I would chose Judge Hughes any day of the week over that judge, who is more concerned with making everyone happy and being re-elected, than knowing, let alone, following the law. It is not a popularity contest. We deal with the most precious of commodities - our children and families. It should be solely about the law. Judge Hughes treats everyone the same. There are no favorites and I have found Judge Hughes to be blind to color, gender, socioeconomic status and whomever is before her.

Unfortunately, this included the young female minor, the video of whom went viral, sparking the necessity of a judicial hearing. Yes, it appears insensitive, but it was a snapshot in time and I've been around long enough to know I don't know the full story. My question is: was Judge Hughes' ruling unfounded? Was her decision subject to appellate review because of abuse of discretion, failure to follow the law, or consideration of new facts? No one can be perfect everyday, and as someone who is in court a minimum of three (3) times a week, there have been many instances I have not been 100% on top of my game. This does not equate to abuse nor warranting discipline.

I talk to my 16 year old niece the same way I speak to my 73 year old mother and my dog. Do I need sensitivity training? Does that deem me a poor attorney? Considering all the judicial and ethical canons in question, it does not change the fact that the focus on Judge Hughes appears to be motivated by emotion rather than on her ability to be a fair and impartial Judge. Her character is professional. Her somewhat monotone delivery is the same regardless of the audience. Pool 1,000 attorneys and all will say the same thing. We prefer a judge who can actually make an expeditious decision in the best interest of our clients and their families, than spend days on end with a Judge everyone really likes and we never really get a clear decision.

She reminds me of former Judge Sally Loehrer.

Should you require any additional information, I can be reached via cell phone (702) 525-9968 or via email at [vip@fujilawlv.com](mailto:vip@fujilawlv.com). Thank you.

Very truly yours,

VALARIE I. FUJII & ASSOCIATES

  
VALARIE I. FUJII, ESQ.

VIF/tal

LAW OFFICE OF MORRISA SCHECHTMAN

7824 White Grass Avenue  
Las Vegas, Nevada 89131

Tel: (702) 596-7472  
Fax: (702) 228-0298

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February 26, 2018

Mr. Gary Vasue, Chair  
Hon. Leon Aberasturi  
Karl Armstrong, Esq.  
Mr. Paul C. Deyhle  
Bruce C. Hahn, Esq.  
Ms. Stefanie Humphrey  
Ms. Mary-Sarah Kinner  
Hon. Jerome Polaha

Members of the Commission, State of  
Nevada Commission on Judicial Discipline  
P.O. Box 48  
Carson City, NV 89702

Re: In the Matter of the Honorable Rena G. Hughes,  
Case No. 2016-113-P,  
Public Hearing Date: May 29, 2018 at 8:00 a.m.

Dear Commission Members:

I am an attorney in good standing and am duly licensed to practice law in the State of Nevada since 1991. I write this letter in support of the Hon. Rena G. Hughes.

I have known Judge Hughes in both a professional and personal capacity for nearly 30 years. I consider Judge Hughes to be a close and dear friend; and, I am honored to know her. As a result of our relationship, and to avoid the appearance of impropriety, I am unable to appear before Judge Hughes in her courtroom.

Judge Hughes and I met as opposing counsel on a divorce matter in the Eighth Judicial District Court and quickly became friends. Judge Hughes exhibited the highest ethical standards, a strong work ethic, a kindness and caring for people and animals, a keen intellect, a knowledge and love of the law, and a love for humanity – traits I admired then and still admire today.

Judge Hughes has proven herself to be a devoted friend, and a fair-minded spirit, with a wonderful sense of humor and a large dose of common sense.

R0083

APP779

Members of the Commission ...  
Page 2  
February 26, 2018

Judge Hughes ran for a seat on the Family Court Bench in Clark County because she believed she could make a difference for children and families. She has been successful in doing just that. Her decisions are well-thought out, and based on the facts of each individual case.

As this Commission may be aware, parental alienation syndrome is a serious problem amongst divided parents. Parental alienation is extremely harmful to the minor child(ren), as well as to the parent who loses his/her relationship with their child(ren), by doing nothing more than being a target for the alienating parent. Parental alienation has become commonplace across our country, and is found in our State as well. I have seen it up close and personal. Judge Hughes has researched the syndrome *ad nauseam* and is well versed in recognizing and dealing with parental alienation and its negative impact on children and parents. Judge Hughes faced these kinds of cases in her own courtroom. As a result of making necessary and difficult decisions, Judge Hughes has been vilified in the press for her rulings in such a case, based on poor and biased reporting, and prompted by persons with their own agenda to discredit Judge Hughes. Judge Hughes did not respond in the press and has acted judicial throughout this ordeal.

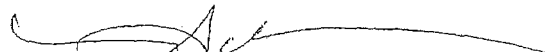
Judge Hughes was unafraid and, in fact, compelled to do the hard job she was elected to do – administer justice for children and families, no matter the difficulty in doing so. To sanction a judge for their well-reasoned decisions, will cause a chilling factor amongst judges not only in Nevada, but the rest of the United States as well.

On a personal note, I know first-hand of the emotional, professional and financial devastation to Judge Hughes in having to defend herself in this forum. This matter has plagued Judge Hughes since 2015. Throughout it all, Judge Hughes has remained committed to the litigants in the Eighth Judicial District Court, Family Division.

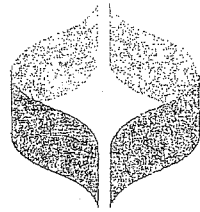
In closing, I state most emphatically that Judge Hughes is an asset to the Nevada State Bar, the Eighth Judicial District Court Bench and our community. Therefore, I respectfully request this Commission find in favor of Judge Hughes.

Thank you for your consideration.

Very truly yours,

  
Morrisa Schechtman, Esq.

MS/pt  
cc: William B. Terry, Esq.  
530 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101



**KAINEN  
LAW GROUP**

February 20, 2018

*Via First Class Mail*

State of Nevada  
Commission on Judicial Discipline  
PO Box 48  
Carson City, Nevada 89702

Re: *The Honorable Rena G. Hughes*

Dear Commission Members:

I am submitting this letter at the request of The Honorable Rena G. Hughes, with respect to her upcoming public hearing.

I have no personal knowledge or opinion about the matters under direct consideration or with respect to any particular case. However I do have personal knowledge with regard to Judge Hughes's diligence, hard work, character, respect for the rule of law, and abilities as both a lawyer and a judge.

Rena and I are both graduates of the University of Oklahoma, Class of 1988. After I had been practicing in Las Vegas for approximately a year, Rena also moved to Las Vegas and started practicing law, including family law. We have had several cases against each other as family law practitioners, and I have followed her career. I have always found Rena to have respect for the rule of law, and to be disciplined in her research, writing and application of the law to the facts. I know Rena to be ethical, diligent and sound in her judgment and reasoning. She was a Nevada Certified Family Law Specialist and is highly qualified to serve as a Family Court Judge.

Since she has taken the bench as a Family Court Judge, I have probably had 10 or 12 cases in Judge Hughes's department, 4 of which involved contested hearings, and one of which involved a trial. Judge Hughes always treated each of the parties and their lawyers with respect and dignity, and has always afforded both sides of the case the opportunity to present their issues and argument. Judge Hughes is always prepared. Her comments in court always prove she has read and considered all pleadings, arguments and evidence. She limits the lawyers' arguments to relevant issues that need resolution or further discussion. As a result, her judicial department is punctual. Cases get resolved, and trial dates are available. By contrast, in other judicial departments, a free-for-all takes place because the courts are not as prepared, the rules are not as well enforced, and decorum is not followed. In some departments it takes more than a year to get a trial date.

Edward Kainen

Neil M. Mullins    Andrew L. Kynaston  
Katherine L. Provost   Racheal H. Mastel



Nevada Commission on Judicial Discipline  
February 20, 2018  
Page 2

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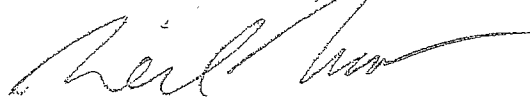
Judge Hughes controls her courtroom. Whereas personal attacks, mudslinging and banter is unfortunately tolerated in other family department courtrooms (and more recently in civil department courtrooms as well), litigants in Department J will find Judge Hughes requires adherence to court procedures and ethics, and expects dignified behavior from all parties and practitioners. Judge Hughes was a no-nonsense practitioner, and has carried that no-nonsense approach into her courtroom. She has been an exemplary Family Court Judge and is well respected by the Bar.

I cannot be prouder of my distinguished colleague for the career and experience she brought to the bench, and for the demeanor, civility and respect for the rule of law she requires in her courtroom.

It is my hope this letter will help the Commission understand how Judge Hughes has conducted the Court's business in Department J. The voters in Clark County have been well served by Judge Hughes.

Sincerely,

KAINEN LAW GROUP, PLLC.



---

NEIL M. MULLINS, ESQ.

NMM/djk

ERNEST DEL CASAL  
P.O. Box 1494  
LAS VEGAS, NEVADA 89125  
(702) 609-3688  
HELP4FATHERSLV.COM

Nevada Commission on Judicial Discipline  
P.O. Box 48  
Carson City, Nevada 89072

Re: The Honorable Rena Hughes

Dear Commission Members:

This letter is written in support of the Honorable Rena Hughes, Family Court Judge in the Eighth Judicial District Court for the State of Nevada. Being involved in the legal community for the past 33 years as the founder of Equal Rights for Divorced Fathers (now retired from ERDF) and, most recently, the founder of the Child Support Help Line, where I have worked with Pro Se litigants, I have watched a great many judicial officers come and go in Clark County. I hope my insight will assist you in finding in favor of leniency for Judge Hughes.

The law has changed tremendously in the past decade, let alone the past 33 years. Previously, it had been that judges like Judge Hughes gave Mothers custody without any question. Now that the law finally recognizes that Fathers are an integral part of their children's lives, there is, oftentimes, a fight for primary physical custody; i.e., the majority of time with the children. Couple this very emotional area of family law with the issue of child support, and you can readily see why some people might decide to use the children as pawns in a game they want to win.

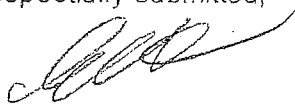
More so than any judge who has had the opportunity to say something about this kind of issue, Judge Hughes has recognized, and thwarted, the use of children as pawns by their parents. She shows no favoritism and warns both Mothers and Fathers against this practice. I have watched her warn parents time and time again that they need to love their children more than they hate each other and that the Court will not tolerate placing the children in the middle of divorce proceedings.

Judge Hughes is fair with everyone, regardless whether they have counsel and regardless who their counsel may be. She is consistent in her application of the law, which isn't always the case in some Departments. In watching her in the courtroom, it is also evident that she cares about families and children.

Nevada Commission on Judicial Discipline  
Page 2.

I firmly believe that Judge Hughes is one of the best judges in Clark County and that the residents of Clark County will suffer if you do not allow her to remain on the bench. Everyone has a bad day and, perhaps speaking with the child at issue in this proceeding was not the best decision. However, I can guarantee that Judge Hughes has learned from this experience and will only be better as a result of it. On behalf of all Clark County litigants, I respectfully ask that you have leniency on Judge Hughes.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Ernest del Casal', written in a cursive style.

Ernest del Casal

## CHRONOLOGY OF SILVA HEARINGS ON CUSTODY

DATE	SUBJECT	DISPOSITION
2/18/15	Rogério's Motion for academic testing, to Modify Custody, et al.	Granted as to academic testing; denied as to change in custody. Behavior Order entered; parties ordered to use Our Family Wizard to communicate; financial issues addressed, child interview ordered; RETURN HEARING SET FOR 4/23/15
3/16/15	Parties stipulated to continue the 4/23/15 hearing.	RETURN HEARING SET FOR 5/26/15
5/26/15	Return hearing. Parties ordered to reunification therapy with Keisha Weiford.	STATUS HEARING SET FOR 8/6/15
6/4/15	Rogério files a Motion for Order to Show Cause and to Modify Custody due to Welthy continuing to withhold Annie.	SET FOR HEARING 7/9/15
7/9/15	Hearing on Rogério's Motion for OSC and to Modify Custody	Weiford's recommendations are adopted; reunification shall proceed; Welthy ordered to support reunification process; OSC and compensatory time for Rogério DEFERRED to 7/15/15

7/15/15	Status hearing for counsel and Court to call Weiford regarding her letters of 6/29/15 and 7/8/15 and further visitation.	Rogerio's visitation temporarily suspended and ordered to occur through reunification sessions with Weiford. STATUS HEARING SET FOR 8/25/15.
8/25/15	Status on Reunification Therapy with Weiford. Annie refusing to participate.	Welthy ordered to support reunification or an OSC shall issue. STATUS HEARING SET FOR 9/29/15
9/16/15	Rogerio's New Motion for Order to Show Cause and to Modify Custody based on not seeing the child since 4/2015 and Welthy being "not concerned with a judge or a clueless family court system."	SET FOR HEARING 11/24/15; RESET FOR 11/4/15
9/22/15	Rogerio's Motion for OSC for Welthy's failure to promote reunification therapy, failure to have Annie math tested at a facility of Rogerio's choosing and continued therapy.	Order to Show Cause issued against Welthy for not completing the math testing as ordered; status hearing on reunification; CALENDAR CALL SET FOR 3/1/16 AND EVIDENTIARY HEARING ON OSC SET FOR 3/29/16.
11/20/15	Rogerio's Motion to Clarify Orders and to reconsider Weiford's recommendations	SET FOR HEARING 1/19/16. RESET TO 12/8/15

12/8/15	Hearing on Rogerio's Motion to Clarify, et al.	Weiford to continue reunification therapy and facilitate visitation for Rogerio; make recommendations for further visitation; Rogerio to be permitted to take Annie out for an activity; exchange will occur at Weiford's office. STATUS HEARING SET FOR 1/28/16
1/28/16	Status Hearing on Reunification Therapy and updated report of Weiford.	Financial issues shall be heard at the evidentiary hearing; Rogerio shall have dinner nights with Annie for 3 weeks, then every other weekend; all exchanges to occur at Donna's House with staff supervising. STATUS HEARING SET FOR 3/29/16
2/18/16	Donna's House report closing case because Annie refused to go with Rogerio for visits.	Full outsourced custody evaluation ordered with psychological evaluations. Claudio Schwarz, LMFT to conduct custody evaluation. Parties admonished not to discuss case with Annie. EVIDENTIARY HEARING STANDS on 3/29/16; CALENDAR CALL 3/1/16.

2/26/16	Notice of Rescheduling	EVIDENTIARY HEARING on 3/29/16 reset to 5/12/16 to allow time for custody evaluation.
5/12/16	Status Check on reunification, math testing and Rogerio's custodial timeshare	Rogerio shall have visitation on Saturdays and Sundays; exchanges to occur at Donna's House. Welthy shall drop Annie off, and leave the premises. If Annie does not go for the visits, Welthy will be held in contempt (an OSC shall issue) and Annie will go with Rogerio for the entire summer. STATUS HEARING SET FOR 7/28/16
6/8/16	Journal Entry	Donna's House closed the case again; Annie refuses to go with Rogerio. Court orders and ORDER TO SHOW CAUSE why Welthy should not be held in contempt on custody and other matters; OSC hearing set for 7/28/16
6/14/16	Order to Show Cause filed for financial issues and failure to facilitate visitation.	OSC HEARING SET FOR 6/28/16 [sic]

6/15/16	Hearing set by Court. Parties appeared. Welthy served with OSC.	Temporary modification of custody to Rogerio. CALENDAR CALL SET 9/20/16; EVIDENTIARY HEARING ON CHANGE OF CUSTODY SET 10/11/16. 7/28/16 HEARING ON OSC.
7/28/16	Welthy files an Objection to Rogerio's OSC	Objection is granted as to alleged violations of custodial orders due to Rogerio's counsel not completing the underlying order. OSC on math testing proceeds and is granted.
8/14/16	Order filed finding Welthy in contempt for failing to have Annie tested for math proficiency at a facility of Rogerio's choosing.	Welthy is sanctioned; temporary modification of custody confirmed to Rogerio. EVIDENTIARY HEARING ON PERMANENT CHANGE IN CUSTODY STANDS FOR 10/11/16.
10/4/16	Welthy's Motion for Reconsideration is decided in chambers.	Motion for Reconsideration is denied. Rogerio's countermotion for fees is granted. Court reiterated Welthy WAS NOT HELD IN CONTEMPT FOR VIOLATING VISITATION ORDERS.



10/11/6	Evidentiary Hearing on modification of Custody.	PARTIES STIPULATED Rogerio would continue to have sole legal custody, primary physical custody, and Welthy would have visitation. Parties ordered to parenting classes. Financial issues addressed. EVIDENTIARY HEARING RESCHEDULED TO 3/6/17.
2/21/17	Calendar Call for Evidentiary Hearing	Welthy did not appear. EVIDENTIARY HEARING DATE STANDS.
3/6/17	Evidentiary Hearing and status of Annie's therapy.	Welthy's objections to the hearing proceeding denied; Welthy refuses to participate. Matters taken under advisement.
5/8/17	Journal Entry	Court recuses from the case. Case randomly reassigned to another Court.

In summary, Judge Hughes held seven (7) hearings on visitation issues raised by Rogerio's June 4, 2015 Motion to Modify Custody.

- July 9, 2015
- July 15, 2015
- August 25, 2015

- November 4, 2015
- December 8, 2015
- January 28, 2016
- May 12, 2016

After seven hearings, Judge Hughes temporarily transferred custody to Rogerio because her orders for reunification therapy were not being followed. At no time did Judge Hughes hold Welthy in contempt. In fact, Judge Hughes reiterated in her October 4, 2016 decision denying Welthy's Motion for Reconsideration that she was never held in contempt.

D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

February 18, 2015

D-12-467820-D

Welthy Silva, Plaintiff.

vs.

Rogerio Silva, Defendant.

February 18, 2015 9:00 AM

All Pending Motions

HEARD BY: Hughes, Rena G

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant, present

Lynn Shoen, Attorney, not present

Welthy Silva, Plaintiff, Counter Defendant, present

Christopher Tilman, Attorney, present

## JOURNAL ENTRIES

- DEFT'S MOTION FOR HOME SCHOOL TESTING; MODIFY CHILD SUPPORT; TO ENFORCE THE DECREE; AND RELATED RELIEF AS REQUESTED HEREIN...PLTF'S OPPOSITION & COUNTERMOTION FOR RULE 11 SANCTIONS AND FOR ATTORNEY'S FEES

Attorney Conant, Bar #8036, and paralegal/husband, Thomas Holmgren, present, with Defendant.

Arguments regarding parenting plan, standard holiday schedule, divorce decree, HELOC, attorney's fees, home schooling, Rule 11 and Ellis v Carucci.

COURT stated FINDINGS and ORDERED:

1. Parties shall have JOINT LEGAL CUSTODY.
2. Request for a CHANGE of CUSTODY shall be DENIED.
3. BEHAVIOR ORDER shall be IN EFFECT. Said Order SIGNED and FILED IN OPEN COURT, with copies PROVIDED, to the Parties.
4. Parties REFERRED to FAMILY MEDIATION CENTER (FMC).
5. Parties shall UTILIZE FAMILY WIZARD and be LIMITED to CHILD, CHILD SUPPORT, MEDICAL, DENTAL AND SCHOOL ISSUES. Parties shall NOT COMMUNICATE, through a

PRINT DATE: 02/23/2015

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Minutes Date:

February 18, 2015

D-12-467820-D

THIRD PARTY.

6. Plaintiff shall PAY the BALANCE, on the HELOC, as ORDERED, in the DECREE.
7. Plaintiff shall MAINTAIN any SALE PROCEEDS, from the RESIDENCE, according to the TERMS, of the DECREE.
8. Parties shall COOPERATE and EXECUTE required DOCUMENTS NECESSARY to effectuate the purposes of the HELOC
9. Plaintiff shall LIST MARITAL RESIDENCE, FORTHWITH.
10. Minor shall be TESTED, through CLARK COUNTY SCHOOL DISTRICT, or another FACILITY, of Defendant s choice shall be GRANTED, to DETERMINE, if minor is PERFORMING, at minors GRADE LEVEL, as to MATH and READING, and if NOT, WHY. RESULTS shall be PROVIDED, to BOTH Parties. Defendant shall PAY, for the COST.
11. Plaintiff shall COMPLY, with any GUIDELINES, regarding HOME SCHOOLING.
12. Plaintiff shall PROVIDE minors SCHOOL GRADES and SCHOOL INFORMATION, to Defendant.
13. Plaintiff shall REGISTER, with CLARK COUNTY SCHOOL DISTRICT, that minor is HOME SCHOOLED.
14. Parties shall COOPERATE and EXECUTE required DOCUMENTS REQUIRED, to OBTAIN a PASSPORT, for minor. Defendant shall be 100% RESPONSIBLE, for any COSTS related, to the PASSPORT.
15. Parties shall REFRAIN from DISCUSSING this action with the minor, making derogatory remarks about the other parent, or having disagreements in front of the child.
16. ATTORNEY'S FEES shall be DEFERRED, until RETURN HEARING.

Attorney Conant to prepare an Order, from today's hearing.

4/23/15 9:00 am. RETURN HEARING - FMC mediation, child interview and status of HELOC negotiations

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**FUTURE HEARINGS:** April 23, 2015 9:00 AM Return Hearing  
Courtroom 04  
Hughes, Rena G

PRINT DATE:	02/23/2015	Page 2 of 2	Minutes Date:	February 18, 2015
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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

May 26, 2015

D-12-467820-D      Welthy Silva, Plaintiff  
    vs.  
    Rogerio Silva, Defendant.

May 26, 2015      9:00 AM      Return Hearing

HEARD BY: Hughes, Rena G

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Lynn Conant, Attorney, present  
 present

Welthy Silva, Plaintiff, Counter Defendant,      Christopher Tilman, Attorney, present  
 present

## JOURNAL ENTRIES

## - RETURN HEARING

Court noted, Parties had an opportunity to review the child interview.

Counsel represented Parties reached an impasse, regarding the HELOC issue.

Arguments regarding HELOC, selling property, value of the property, Parties credit, child interview, Defendant's anger issues, Defendant's visitation, therapeutic intervention, for Defendant, holiday schedule, compensatory time, educational (math) testing not being done, adopting Margaret Pickard's philosophy, lack of communication, 30/30 rule and attorney's fees.

COURT stated FINDINGS and ORDERED:

1. Based on STIPULATION, minor shall ATTEND REUNIFICATION THERAPY, with Keisha Weiford. Minor shall be SIGNED up, within 30 days. Parties shall FOLLOW Ms. Weiford's RECOMMENDATIONS. Defendant shall be 100% RESPONSIBLE, for the COST of said THERAPY. A REPORT shall be PROVIDED, prior to the RETURN HEARING.

PRINT DATE: 05/29/2015

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Minutes Date:

May 26, 2015

D-12-467820-D

2. Parties shall REFRAIN from DISCUSSING this action with the minor, making derogatory remarks about the other parent, or having disagreements in front of minor.
3. If minor WANTS to SPEND TIME, with her FRIENDS, it shall be ARRANGED, during Plaintiff's TIMESHARE.
4. Plaintiff shall CONTINUE to PAY the HELOC. However, if Plaintiff is MORE than 60 days LATE, the RESIDENCE shall be LISTED, for SALE or SHORT SALE.
5. Department "J"'s STANDARD HOLIDAY SCHEDULE shall be IN EFFECT. The HOLIDAY SCHEDULE shall be MODIFIABLE, with a WRITTEN STIPULATION.
6. Minor's MATH TESTING shall be COMPLETED, within the next 30 days:
7. Defendant shall be AWARDED COMPENSATORY TIME, in the amount eight (8) days / four (4) weekends, over the SUMMER BREAK.
8. SUMMER BREAK SCHEDULE shall be DETERMINED, by the Parties.
9. Plaintiff to NOTIFY Defendant which, ACTIVITIES minor has SCHEDULED, during the SUMMER BREAK, in which Defendant shall TAKE minor, if during his TIMESHARE.
10. Parties shall PROVIDE PROOF of the HISTORY of the HELOC PAYMENTS and current BALANCE, and PROVIDE to counsel.
11. Counsel shall FILE BRIEFS ten days PRIOR, to the STATUS CHECK, regarding the SUMMER BREAK, HELOC and UNREIMBURSED MEDICAL.

Attorney Tilman to prepare an Order, from today's hearing.

8/6/15 11:00 am STATUS CHECK - HELOC briefs and reunification counseling (Keisha Weiford)

**FUTURE HEARINGS:**

August 06, 2015 11:00 AM Status Check  
Courtroom 04  
Hughes, Rena G  
Skaggs, Tiffany

PRINT DATE:	05/29/2015	Page 2 of 2	Minutes Date:	May 26, 2015
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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

July 09, 2015

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

July 09, 2015      10:00 AM      Motion

HEARD BY: Hughes, Rena G

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

## PARTIES:

Annie Silva, Subject Minor, not present  
Rogerio Silva, Defendant, Counter Claimant,      Riana Durrett, Attorney, present  
present  
Welthy Silva, Plaintiff, Counter Defendant,      Christopher Tilman, Attorney, present  
present

## JOURNAL ENTRIES

- DEFENDANT'S MOTION FOR AN ORDER TO SHOW CAUSE AND TO MODIFY CUSTODY ON  
OST

Court noted, the Order, from 5/26/15, was SIGNED IN OPEN COURT. After being logged in, said  
Order was RETURNED, to Attorney Durrett, through her folder, at Family Court, by the JEA.

Parties had an opportunity to review the letter, from Keisha Weiford, dated 7/8/15.

Court discussed the appearance that minor is polarized, with Plaintiff. Further discussed Ms.  
Weiford's Report and Recommendation. Court noted, the report does not address, if Defendant's  
regular visitation should move forward. Further, noted, Plaintiff's Opposition was untimely filed.

Arguments regarding minor still not being tested, for math, missed visitations, Plaintiff's alleged  
violations, compensatory time, for Defendant, lack of co-parenting, Defendant not having minor, for  
father's day, past orders not being prepared, Order to Show Cause and procedural issues.

PRINT DATE:	07/21/2015	Page 1 of 2	Minutes Date:	July 09, 2015
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D-12-467820-D

COURT stated FINDINGS and ORDERED:

1. Ms. Weiford's RECOMMENDATIONS shall be ADOPTED, as an ORDER.
2. Defendant shall PROCEED, with REUNIFICATION, with minor.
3. Defendant shall ENROLL, in a PARENTING CLASS, within the next 30 days.
4. Minor shall CONTINUE to SEE Ms. Weiford. Ms. Weiford shall NOT be minors VOICE.
5. Plaintiff shall be SUPPORTIVE, of the REUNIFICATION PROCESS and PARTICIPATE, when ASKED.
6. RECEIVING Party shall RECEIVE minor, regarding TRANSPORTATION.
7. As the ORDER, from 5/26/15, was SIGNED TODAY, the ORDER to SHOW CAUSE shall be PREMATURE.
8. The ORDER to SHOW CAUSE (against Plaintiff) and COMPENSATORY TIME, for Defendant, shall be DEFERRED.
9. A TELEPHONIC CONFERENCE, between Ms. Keiford, counsel and the Court, prior to 8/6/15, shall be ARRANGED, through the DEPARTMENTS JEA.

Attorney Durrett to prepare an Order, from today's hearing.

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**FUTURE HEARINGS:**

July 15, 2015 2:00 PM Hearing  
Courtroom 04  
Hughes, Rena G  
Skaggs, Tiffany

August 25, 2015 10:00 AM Status Check  
Courtroom 04  
Hughes, Rena G  
Skaggs, Tiffany

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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

July 15, 2015

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

July 15, 2015      2:00 PM      Hearing

HEARD BY: Hughes, Rena G

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

**PARTIES:**

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Riana Durrett, Attorney, present  
not present

Welthy Silva, Plaintiff, Counter Defendant, not      Christopher Tilman, Attorney, present  
present

<b>JOURNAL ENTRIES</b>
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- COUNSEL WILL BE IN THE COURTROOM AND COURT WILL CALL THERAPIST

Keisha Weiford appeared TELEPHONICALLY.

Court reviewed Ms. Weifords letters, dated 6/29/15 and 7/8/15. Court inquired if Ms. Weiford recommended if court ordered visitation should continue, between minor and dad.

Ms. Weiford recommended therapy continue and recommends visitation occur, as they move through therapy.

Arguments regarding payment and Plaintiff allegedly not taking minor to sessions.

COURT stated PROBLEMS and ORDERED:

1. Based on Ms. Weiford's RECOMMENDATION, court ordered VISITATION shall be SUSPENDED;

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D-12-467820-D

however, VISITATION shall OCCUR, through REUNIFICATION.

2. If PAYMENT of THERAPY becomes an ISSUE, Ms. Weiford shall SEND a LETTER, to CHAMBERS, and the Court shall ADDRESS, with counsel.

3. As PREVIOUSLY ORDERED, Plaintiff shall TAKE minor to ALL the REUNIFICATION APPOINTMENTS, with Ms. Weiford.

Minutes from today's hearing shall suffice as an Order.

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**FUTURE HEARINGS:**

August 25, 2015 10:00 AM Status Check  
Courtroom 04  
Hughes, Rena G  
Skaggs, Tiffany

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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

August 25, 2015

D-12-467820-D

Welthy Silva, Plaintiff

vs.

Rogerio Silva, Defendant.

August 25, 2015

10:00 AM

Status Check

HEARD BY: Hughes, Rena G

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

**PARTIES:**

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,  
present

Riana Durrett, Attorney, present

Welthy Silva, Plaintiff, Counter Defendant,  
present

Christopher Tilman, Attorney, present

<b>JOURNAL ENTRIES</b>
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- HELOC BRIEFING AND REUNIFICATION COUNSELING (MINOR AND DAD) - OUTSOURCE  
EVALUATOR KEISHA WEIFORD

Court noted the brief filed 8/18/15, by Attorney Durrett, was mailed to Attorney Shoan, who is no longer attorney of record, and not served to Attorney Tilman.

Arguments regarding therapy, with Ms. Wieford, letter from Ms. Wieford, minor not getting out of the car, at the last appointment, Ms. Wieford speaking to minor, in the parking lot, additional appointments set (8/27/15, 9/3/15 and 9/10/15), therapy payment issues and HELOC issues.

Court noted, at the 5/26/15, hearing, counsel was supposed to file briefs, regarding the HELOC, reunification and unreimbursed medical.

COURT stated FINDINGS and ORDERED:

1. If 2nd THERAPY SESSION DOES NOT HAPPEN, an ORDER to SHOW CAUSE shall be ISSUED, against Plaintiff, for NOT FOLLOWING ORDERS.

PRINT DATE:	08/27/2015	Page 1 of 2	Minutes Date:	August 25, 2015
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D-12-467820-D

2. REUNIFICATION THERAPY STANDS.

3. Attorney Tilman shall SUBMIT a LETTER, to Ms. Weiford, CLARIFYING if the current APPOINTMENTS were CANCELED. If they WERE, can they be RESET, or if NEW APPOINTMENTS need to be SCHEDULED. COPIES of said LETTER shall be PROVIDED to counsel and the Court.

4. Attorney Tilman shall ADVISE CHAMBERS, if Ms. Weiford REFUSES to CONTINUE, with THERAPY.

5. If Ms. Weiford is REFUSING to CONTINUE, with THERAPY, a TELEPHONIC CONFERENCE shall be SET, to EXPLAIN way.

6. Parties shall EQUALLY DIVIDE the COST of THERAPY. Defendant shall PROVIDE the RECEIPTS showing he has ALREADY PAID \$1,760.00, towards THERAPY.

7. Attorney Durrett shall OBTAIN a LETTER, from Ms. Weiford, regarding ITEMIZED BREAK DOWN, of her RETAINER, SERVICES, HOURS of what Defendant has been CHARGED and a BILLING STATEMENT.

8. Plaintiff shall PAY for FUTURE THERAPY SESSIONS, with Defendant REIMBURSING Plaintiff his PORTION.

9. CREDITS shall APPLY.

10. Counsel shall have FULL ACCESS, to CLIENTS FAMILY WIZARD ACCOUNTS.

Attorney Durrett to prepare an Order, from today's hearing.

9/29/15 9:00 am STATUS CHECK - Service of Briefs, HELOC issues, unreimbursed medical, therapy, reunification, Family Wizard communication and standardized testing.

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**FUTURE HEARINGS:**

September 29, 2015 9:00 AM Status Check  
Courtroom 04  
Skaggs, Tiffany  
Hughes, Rena G

PRINT DATE:	08/27/2015	Page 2 of 2	Minutes Date:	August 25, 2015
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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

November 04, 2015

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

November 04,      3:00 PM      All Pending Motions  
2015

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Riana Durrett, Attorney, present  
presentWelthy Silva, Plaintiff, Counter Defendant, not      Christopher Tilman, Attorney, present  
present

## JOURNAL ENTRIES

DEFT'S MOTION FOR AN ORDER TO SHOW CAUSE AND TO MODIFY CUSTODY...SERVICE OF  
BRIEFS (HELOC ISSUE, UNREIMBURSED MEDICAL, REUNIFICATION (MOM IS PAYING),  
STANDARDIZED TESTING AND FAMILY WIZARD COMMUNICATION)

Attorney Tilman represented he did not receive a renote, of today's hearing and if he had, he would  
have contacted counsel to continue today's hearing, as he has been in a two day trial, in another  
department. Court noted, Attorney Tilman was E-Served the notice.

Court provide counsel the letter (dated 11/2/15), from Keisha Wieford, for review.

Arguments regarding, if reunification is happening, three (3) sessions have occurred, Plaintiff  
allegedly not moving forward, with reunification, OSC, exhibit 8 letter, minors testing scores,  
custody, putting minor in public school, keeping minor home schooled, yearly testing and HELOC.

Court addressed reviewing the briefs, for the HELOC, minors home schooling and minor being  
tested yearly.

PRINT DATE:	11/13/2015	Page 1 of 2	Minutes Date:	November 04, 2015
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D-12-467820-D

COURT stated FINDINGS and ORDERED:

1. An ORDER to SHOW CAUSE shall be ISSUED, regarding Plaintiff's FAILURE to COMPLETE the MATH TESTING, as REPRESENTED, in counsel's letter dated 7/27/15 and the Order.
2. THERAPY, with Ms. Wieford, shall CONTINUE. Parties shall FOLLOW the REPORT and RECOMMENDATIONS.
3. Parties shall EQUALLY DIVIDE the COST, of THERAPY.
4. Court shall REVIEW the BRIEFS, regarding HELOC, Plaintiff PAYING for REUNIFICATION, REPAYMENT of FUNDS and REQUEST Plaintiff OBTAINS EMPLOYMENT.
5. STATUS CHECK set for REUNIFICATION (Ms. Weiford's report), STANDARDIZED TESTING and ANNUAL TESTING.

Attorney Durrett to prepare an Order from today's hearing. Attorney Durrett to prepare the OSC and SERVE Plaintiff/counsel.

3/1/16 11:00 AM CALENDAR CALL

3/29/16 1:30 PM EVIDENTIARY HEARING - OSC (plaintiff) stack #3

3/29/16 1:30 PM STATUS CHECK - Reunification (dad), Ms. Weiford's report, standardized testing, and testing every year.

**FUTURE HEARINGS:**

March 01, 2016 11:00 AM Calendar Call  
Courtroom 04  
Hughes, Rena G.

March 29, 2016 1:30 PM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.

March 29, 2016 1:30 PM Status Check  
Courtroom 04  
Hughes, Rena G.

PRINT DATE:	11/13/2015	Page 2 of 2	Minutes Date:	November 04, 2015
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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

December 08, 2015

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

December 08, 2015    1:30 PM      All Pending Motions

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Riana Durrett, Attorney, present  
present

Welthy Silva, Plaintiff, Counter Defendant,      Christopher Tilman, Attorney, present  
present

JOURNAL ENTRIES
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- DEFT'S MOTION TO CLARIFY OR IN THE ALTERNATIVE, MOTION TO RECONSIDER...PLTF'S  
OPPOSITION AND COUNTERMOTION

Plaintiff appeared TELEPHONICALLY.

Court addressed Keisha Weiford letter, dated 11/2/15, was faxed to the department, on 11/4/15  
(approximately 12:00 pm), the same date as the last hearing (11/4/15) and the Court did not have an  
opportunity, to review said report. As Attorney Durrett filed said report, as an exhibit, said exhibit  
shall be STRICKEN.

Arguments regarding Ms. Weiford's Report and Recommendations, reunification, Defendant having  
unsupervised visitation, influences over minor, the Report and Recommendation not being clear and  
Defendant not paying his support obligations.

COURT stated FINDINGS and ORDERED:

PRINT DATE:	12/10/2015	Page 1 of 3	Minutes Date:	December 08, 2015
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D-12-467820-D

1. Defendant's EXHIBIT 1 (pages 8-11), in the MOTION, FILED 11/20/15, shall be STRICKEN.
2. Ms. Weiford shall CONTINUE REUNIFICATION THERAPY and FACILITATE VISITATION, between minor and Defendant. Defendant shall have NO LESS than CHRISTMAS DAY, from 12:00 pm to 5:00 pm, UNSUPERVISED.
3. Ms. Weiford shall MAKE the RECOMMENDATION, regarding WHAT Defendant's UNSUPERVISED VISITATION should BE.
4. Defendant shall MEET, with Ms. Weiford. Minor shall be TAKEN to Ms. Weiford's OFFICE, for a MEETING, with Defendant. Ms. Weiford shall FACILITATE said MEETING, at which TIME, Defendant shall be PERMITTED to TAKE minor, to an ACTIVITY and TAKE minor BACK, to Ms. Weiford's OFFICE. Ms. Weiford shall DETERMINE the LENGTH, of said UNSUPERVISED VISITATION. Ms. Weiford shall DISCUSS the VISITATION, as a DEBRIEFING.
5. Parties shall ENROLL in the UNLV CO PARENTING CLASS and FILE their CERTIFICATES of COMPLETION.
6. Ms. Weiford shall PROVIDE an UPDATED REPORT and RECOMMENDATION, PRIOR to the STATUS CHECK.
7. Attorney Tilman shall FILE a SCHEDULE of ARREARS.
8. ARREARS shall be DEFERRED.

Attorney Durrett to prepare an Order, from today's hearing.

1/28/16 11:00 am STATUS CHECK - Reunification (dad) and Ms. Weiford's Report and Recommendation

**FUTURE HEARINGS:**

January 28, 2016 11:00 AM Status Check  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

March 01, 2016 11:00 AM Calendar Call  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

PRINT DATE:	12/10/2015	Page 2 of 3	Minutes Date:	December 08, 2015
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March 29, 2016 1:30 PM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

March 29, 2016 1:30 PM Status Check  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

PRINT DATE:	12/10/2015	Page 3 of 3	Minutes Date:	December 08, 2015
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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

January 28, 2016

D-12-467820-D      Welthy Silva, Plaintiff  
                                  vs.  
                                  Rogerio Silva, Defendant.

January 28, 2016      11:00 AM      All Pending Motions

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Riana Durrett, Attorney, present  
 present

Welthy Silva, Plaintiff, Counter Defendant,      Pro Se  
 present

## JOURNAL ENTRIES

-STATUS CHECK: REUNIFICATION (DAD) AND MS. WEIFORD'S UPDATED REPORT AND  
 RECOMMENDATION...MOTION TO WITHDRAW AS ATTORNEY OF RECORD, TO  
 ADJUDICATE THE RIGHTS OF COUNSEL, FOR ENFORCEMENT OF ATTORNEY'S LIEN AND  
 FOR JUDGMENT OF ATTORNEY'S FEES

Attorney Tilman, present. Attorney Tilman requested to hear the Motion to Withdraw, at today's  
 hearing, which was GRANTED, by the Court.

Court noted, Parties had an opportunity to review Ms. Weiford's report, dated 1/21/16.

Court inquired if there were any objections, to adopting Ms. Weiford's Report and  
 Recommendations, in which Plaintiff stated she does object, as she does not want minor, in the car,  
 with Defendant.

Discussion regarding Defendant's driving history, lack of child support payments, Report and  
 Recommendations, unreimbursed medical, arrearages and Schedule of Arrears.

COURT stated FINDINGS and ORDERED:

PRINT DATE:	02/08/2016	Page 1 of 2	Minutes Date:	January 28, 2016
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D-12-467820-D

1. Court shall HEAR TESTIMONY, on CHILD SUPPORT and MEDICAL ARREARS, at TIME of the EVIDENTIARY HEARING.
2. Court shall ADDRESS the HELOC ISSUE, at TIME of the EVIDENTIARY HEARING.
3. Ms. Weiford's REPORT and RECOMMENDATION shall be ADOPTED.
4. Defendant shall have his FIRST EVENING DINNER, on 2/6/16, from 6:00 pm to 8:30 pm. Defendant's SECOND WEEK DINNER shall be Friday (2/12/16) and Saturday (2/13/16), from 6:00 pm to 8:30 pm; the THIRD WEEK DINNER shall be Tuesday (2/15/16), Friday (2/19/16) and Saturday (2/20/16), from 6:00 pm to 8:30 pm.
5. Effective 2/27/16, and THEREAFTER, Defendant's CUSTODIAL TIMESHARE shall be EVERY WEEKEND, from Saturday, 11:00 am through Monday, 10:00 am.
6. ALL EXCHANGES shall OCCUR, at DONNA'S HOUSE.
7. As there were NO OBJECTIONS, Attorney Tilman's MOTION to WITHDRAW, shall be GRANTED.

Attorney Durrett to prepare an Order, from today's hearing.

3/29/16 1:30 pm STATUS CHECK: Defendant's visitation

**FUTURE HEARINGS:**

March 01, 2016 11:00 AM Calendar Call  
Courtroom 04  
Hughes, Rena G.

March 29, 2016 1:30 PM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.

March 29, 2016 1:30 PM Status Check  
Courtroom 04  
Hughes, Rena G.

March 29, 2016 1:30 PM Status Check  
Courtroom 04  
Hughes, Rena G.

PRINT DATE:	02/08/2016	Page 2 of 2	Minutes Date:	January 28, 2016
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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

February 18, 2016

D-12-467820-D      Welthy Silva, Plaintiff  
vs.  
Rogerio Silva, Defendant.

February 18, 2016    1:30 PM      Minute Order

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

**PARTIES:**

Annie Silva, Subject Minor, not present  
Rogerio Silva, Defendant, Counter Claimant,      Riana Durrett, Attorney, not present  
not present  
Welthy Silva, Plaintiff, Counter Defendant, not      Pro Se  
present

JOURNAL ENTRIES
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- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

On January 28, 2016, the Court held a Status Check hearing and Ordered all custody exchanges to occur at Donna s House.

On February 16, 2016, the Court received a report from Donna s House stating that Donna s House was closing the case as the minor child has refused to go with her father for two, consecutively scheduled exchanges.

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D-12-467820-D

Based upon the report from Donna s House that the minor child refuses to participate in the Court Ordered visitation, the Court hereby Orders the parties for a full outsourced child custody evaluation and psychological evaluation. The child custody evaluation and the psychological evaluation will be conducted by Claudia Schwarz, LMFT. The parties are further Ordered to equally pay the cost of the evaluation, subject to a reassessment of fees. If Plaintiff fails to participate in any scheduled meetings with the outsourced evaluator, she shall be sanctioned \$500 for each incident.

Additionally, the parties are not allowed to discuss the Court action with the minor child. If either party violates this order, he or she shall be sanctioned \$500 for each violation.

Clerk's note, a copy of today's minute order, Outsourced Evaluation referral, were mailed, to the Plaintiff, at the address, on file and placed, in counsel's folder, at Family Court.

**FUTURE HEARINGS:**

*Canceled: February 24, 2016 9:00 AM Motion*

March 01, 2016 11:00 AM Calendar Call  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

March 29, 2016 1:30 PM Evidentiary Hearing  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

March 29, 2016 1:30 PM Status Check  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

March 29, 2016 1:30 PM Status Check  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

March 29, 2016 1:30 PM Status Check  
Courtroom 04  
Hughes, Rena G.  
Skaggs, Tiffany

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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

May 12, 2016

D-12-467820-D      Welthy Silva, Plaintiff  
    vs.  
    Rogerio Silva, Defendant.

May 12, 2016      10:00 AM      All Pending Motions

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Carol Critchett

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant,      Lesley Cohen, Attorney, present  
 present

Welthy Silva, Plaintiff, Counter Defendant,      Pro Se  
 present

## JOURNAL ENTRIES

- STATUS CHECK: REUNIFICATION; COOPERATION OF PLTF AND YEARLY TESTING (HOME  
 SCHOOLING VS. PUBLIC SCHOOLING)...STATUS CHECK: DEFT'S VISITATION...STATUS  
 CHECK RE: OUTSOURCE EVALUATION SERVICES

Court noted the outsourced evaluation did not go forward. Plaintiff advised the Court of her lack of  
 funds to pay her half of the outsourced evaluation fees.

Argument and discussion regarding the choice of evaluator; Defendant's lack of contact with the  
 child, the parental alienation issues, the need for therapeutic reunification and Plaintiff's blocking  
 Defendant's relationship with the child. Argument and discussion regarding the history of the case,  
 Plaintiff's failure to foster Defendant's relationship with the child, completion of the child's home  
 schooling, the type of home school the child attends and Defendant's belief there is no proper testing

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of the child to allow her to proceed into a regular school. Argument and discussion regarding Defendant's self employment, his timeshare and holiday requests and his desire to be a part of the child's life. Argument and discussion regarding the timeshare in the Decree Of Divorce, the child exchanges and the child refusing to attend the visitations. Argument and discussion regarding Plaintiff's need to make sure the child attends the visitations and Defendant's non-payment of child support. Court advised the Plaintiff she was close to being held in contempt and being incarcerated. Argument and discussion regarding the child support payments. Counsel advised the Court Defendant changed banks but he would make a payment for the child support today (5-11-16) by electronic transfer to Plaintiff's bank account. Plaintiff provided her bank account to Defendant via his counsel IN OPEN COURT. Argument and discussion regarding Plaintiff not following the "30/30 Rule" or the joint legal custody provisions. Plaintiff advised the Court she had provided the medical bills to Defendant through the website "Our Family Wizard". Argument and discussion regarding the outstanding medical expenses, Plaintiff's preparation of a Schedule Of Arrearages and Plaintiff's prior provisions of the expenses information. Counsel requested a finding from the Court regarding the contempt issues. Court advised counsel to file for an Order To Show Cause.

COURT ORDERED the following:

1. Temporarily Defendant shall receive VISITATION with the child from Saturday at 11:00 A.M. until Sunday at 5:00 P.M. beginning Saturday, MAY 14, 2016.
2. The parties shall EXCHANGE the CHILD under SUPERVISION through DONNA'S HOUSE. Plaintiff shall DROP the CHILD OFF at Donna's House then LEAVE. If the CHILD DOES NOT GO on the VISITATIONS Plaintiff will be HELD IN CONTEMPT and the CHILD will be WITH the DEFENDANT for the ENTIRE SUMMER break from school.
3. Plaintiff shall UPDATE the MEDICAL EXPENSES. Plaintiff shall PROVIDE a DETAILED BILLING from the child's CHIROPRACTOR to counsel WITHIN THE NEXT 2 WEEKS (5-25-16).
4. Plaintiff shall prepare and FILE a SCHEDULE OF ARREARAGES within the NEXT 2 WEEKS (5-25-16).

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5. A STATUS CHECK hearing regarding the CHILD EXCHANGES, the MEDICAL EXPENSES, CHILD SUPPORT and ALIMONY is calendared for July 28, 2016 at 10:00 A.M. for ONE HOUR.

Ms. Cohen shall PREPARE the ORDER.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

July 28, 2016 10:00 AM Status Check  
Courtroom 04  
Skaggs, Tiffany  
Hughes, Rena G.

PRINT DATE:	05/16/2016	Page 3 of 3	Minutes Date:	May 12, 2016
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D-12-467820-D

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

June 08, 2016

D-12-467820-D

Welthy Silva, Plaintiff

vs.

Rogerio Silva, Defendant.

June 08, 2016

2:30 PM

Minute Order

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

## PARTIES:

Annie Silva, Subject Minor, not present

Rogerio Silva, Defendant, Counter Claimant, Lesley Cohen, Attorney, not present  
not presentWelthy Silva, Plaintiff, Counter Defendant, not Pro Se  
present

## JOURNAL ENTRIES

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter.

This case has a lengthy, troubled history. Since the parties divorce on April 26, 2013, they have been before this Court no less than 9 times, primarily on Father's motions to enforce his rights of custody and visitation, and regarding his objection to the minor child ( Annie ) being home schooled by .

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Mother. The parties are also disputing the handling of the HELOC account after divorce.

The Decree of Divorce granted the parties joint legal, and Mother primary physical custody of the minor child, Annie. Father's visitation period was weekly from Saturday at 11:00 a.m. to Monday at 10:00 a.m.

In April 2014, Father filed a motion to have Annie tested to determine her educational level, and to have her placed in public school. Mother was home schooling Annie over Father's objection, and allegedly in violation of the joint legal custodial provisions of the Decree of Divorce. A hearing did not take place on this motion, because counsel for Father failed to file a valid proof of service.

In January 2015, Father filed a second motion for academic testing, to have Annie placed in public school, to modify child custody to primary to Father, and enforce the Decree of Divorce with respect to the HELOC. The Decree ordered Mother to refinance or sell the former marital residence because Father's name is on the HELOC. Father requested a change in custody based on Mother's decision to home school Annie, without his consent. Father alleged that when he objected to Mother about the home schooling, she denied him visitation. At the hearing in February 2015, the parties were ordered to mediation to address Father's visitation, and for a child interview. It was alleged that Annie did not wish to visit, with Father.

In or around April 2015, Mother began withholding the minor child during Father's custodial time. In May 2015, Father called the police to assist him in facilitating his visitation, and Mother refused to turn over the child.

The parties stipulated in July 2015 to reunification therapy for Father and Annie. The Court ordered reunification therapy with Keisha Weiford and Father to bear the cost. The Court also ordered Mother to have math testing performed, and that Father would have compensatory time over the summer break. The Court further ordered the parties to provide a history of the HELOC payments and the current balance.

Keisha Weiford provided reports in early July and August 2015, informing the Court that Father met with her for reunification therapy and paid all fees. In July 2015, Mother arrived for the initial appointment, but did not leave the parking lot, alleging Annie would not get out of the car. Keisha Weiford went to meet Mother and Annie in the parking lot and spoke to them. Ms. Weiford spoke with Annie and calmed her fears, but then Mother ended the conversation by stating that Annie was too stressed to go forward with the appointment. Mother reiterated that Annie does not want to meet with her father. Ms. Weiford also reported that Mother called days prior to the first appointment and told her Annie did not want to come to the appointment or was unwilling to get in the car. Mother wanted to know if Annie could terminate the reunification session if Father started to lie in session. Father met with Ms. Weiford and reported that Annie was upset with him for having her tested, and for questioning her home schooling. Ms. Weiford contacted Mother again and

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requested she bring Annie to meet with her father for reunification. Mother stated to Ms. Weiford that Annie was not willing to meet with her Father because she did not want to be around his negative energy. Annie agreed to meet with Ms. Weiford individually.

The following is an excerpt from Ms. Weiford report of the July 8, 2015 meeting with Annie. Annie definitely displayed irritation with me at our meeting. She reported she told me at the beginning of our previous session that she did not want to be reunified, with her Dad. I asked her if Mom explained to her that even though she told me that I would still need to meet with her and Dad. Annie reported that her mother did not explain that to her because her mother did not understand why I could not take her word only. Annie reported to me that she was not joking, and did not want to be reunified. She reported that anyone that knows her is aware that she does not give second chances and she has already given her Dad too many chances. She reported that the only reason that her Dad is pushing for this reunification is because he likes drama.

Ms. Weiford reported I am having a hard time distinguishing what were the problems in the marriage and what are the problems in the parent-child relationship. It seems very much intertwined, with Mom's relationship with Dad. I am concerned with the possible enmeshment that Annie and Mom might have. Ms. Weiford recommended Mother get behind the reunification and share the financial responsibility of reunification therapy. Father paid Ms. Weiford a total of \$1,800.00 for reunification therapy that never occurred. Ms. Weiford then canceled the remaining reunification appointments.

In October 2015, the Court issued an Order to Show Cause against Mother for not following the Court's Order to engage in reunification therapy, and ordered reunification therapy to continue. The Court further ordered the parties to equally divide the cost of therapy for the previous sessions, and for Mother to pay for all future sessions.

Mother terminated the reunification with Ms. Weiford, reporting that finances were an issue...and Annie was done.

Before terminating the reunification therapy, Ms. Weiford conducted three (3) sessions with Father and Annie. According to Ms. Weiford's report of November 2, 2015, Annie was tearful at first, but by the time of the second session, she was comfortable with her Father and played games with him. Annie left the second session cheerful. Before starting the third session, Annie told Ms. Weiford, she did not want to be reunified and did not want to have a relationship with her father.

Ms. Weiford had authority to contact Annie's therapist and received a report that Annie did not report abuse, neglect, or any other issues with her father concerning safety and welfare. In Ms. Weiford's opinion, the issues between Annie and her Father had more to do with his conflicts with her Mother than with his personal relationship with her. Ms. Weiford further opined that Mother was creating the rift between Father and Annie, because Annie's thoughts appeared to be those of her

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