

## **A Confession of My Struggle**

### **An Apology**

Before continuing on this term, I have to apologize to several members of my family; my parents, my sister, and some friends have who has been a part of my struggle to include my violation of a court injunction several months ago. This violation and the events leading-up to it are what I call "my struggle" ...though it has been their struggle too. To each and to all of them (some of which have received this confession) please accept my deepest apology and gratitude.

### **A Faith-Building Thanksgiving**

Having time to reflect on these events has brought some positive outcome in the form of faith-building – which for me sometimes occurs after having failed by all other means. I praise God that, while not achieving some apparent breakthrough, the strength that comes through prayer (by all) is profound and powerful. To each and to all of you, thanks for your prayers and personal encouragement – both of which have been a blessing.

### **The Violation(s)**

The violation that I mentioned occurred (most recently) in the September of last year. Not heeding to advice of my brother, who described the "long-arm" of the law, I attended a ball game where my oldest children where playing in the marching band. Earlier violations of the injunction included numerous letters written to my children over a period of years or during the long-standing (and perhaps never ending) injunction.

### **The Injunction**

The injunction states that my visitation with my children can be implied (or interpreted) in the Final Judgment (Divorce Decree) as supervised and that such visitation requires medical intervention:

Implicit in the Court's Order Domesticating the Parties' Final Judgment of Divorce for the State of Georgia which requires supervised visitation only upon the direction of a licensed psychologist is that the former husband shall have no contact with parties' minor children.

Yet the Final Judgment has no such language – nor can such conditions be inferred or implied; but rather, the visitation is a conventional form of unsupervised visitation without any requirement for or intervention of licensed psychologist(s). In simple terms, the injunction (or its basis) is not true; or as said in the court system, it lacks veracity.

***In a Word***

Long before this “last violation”, I wrote letters to my children; indeed, hundreds of letters have been written largely under the title of *In A Word, Letters from a Father to his Children*. As I am preparing this confession, a copy of the letters have been sent to Dennis Rainey of Family Life – which I hope will be a blessing to them as writing the letters have been to me. The letters were sent (to my children and to all others) as simply an expression of goodwill; in other words, I was not trying to demean or otherwise discredit my ex-wife.

**Good Intentions**

Similar intentions were exercised over the period prior to and following the divorce to include: the attempt to avert a divorce in 2000; the attempt to forestall my ex-wife’s relocation to Florida (from Georgia) in 2000-2001; the attempt to re-establish visitation with the children in 2003-2004; and, of course, the aforementioned violations of the injunction.

**Non-Custodial**

These attempts, coupled with some reading, have led me to the realization that a non-custodial parent has little success in the system and, therefore, little recourse; and while financing is often a deterrent of justice, the understood outcome of modification cases is largely swayed in favor of the custodial parent...but not necessarily the children! Expressed in another way, parental equity is very much a concept and not a reality.

**Family Court**

I have lived with the possibility of incarceration for years and, as I’ve recently discovered, my oldest child lives with the fear that his father will go to jail - as he expressed it to his grandfather. Among the reading (described in the previous paragraph), *The Liberator* published by The American Coalition for Fathers and Children gives some sense of the plight of the non-custodial in Family Courts.

Government has given our courts the ability to award our children as if they were prizes to one parent or the other with total disregard for the relationships destroyed with the non-custodial parent and the biological side of the child’s family

Continuing in this publication, the article addresses Domestic Violence in Family Court:

Government has given the courts the ability to destroy relationships between parent and child as soon as allegations are made and prior to sufficient investigation.

**Child Support**

Finally on the matter of Child Support - also in Family Court:

It is a basic principle of democracy that you cannot be held to be at fault if something is out of your control. But in family court, if your company goes bankrupt and you have a child support debt, you are considered somehow to have caused...The system is now a debtor's prison. Any man (or non-custodial) with arrearages can be thrown in jail....

The child support level (or amount that is imputed) is supposed to be geared to a man's income, but you cannot get your child support lowered easily...

**The Children**

Speaking of the children – of whom I hold as the *real victims* of divorce – I am often discouraged by the proven inability and disinterest of the system in the child's long-term welfare. Where such inability and disinterest occurs is in the ills and complications endemic in fatherless children or single-parent homes; furthermore, when the children have been misled to believe their father is dangerous and, if seen, will indeed go to jail. Living in the environment, the children are more apt to adolescent and adult problems of all varieties. Not only has the system made my children “a prize” for the one parent; but the system has given license for the abuse, neglect and leveraging of children attributing to delinquency and generational family crisis of their own. It is a shame...but am I the only one (in this case) that has such feelings and understanding?

**Sham-e**

Dropping the “e” in shame, “sham” is more the word that I associate with this system. I estimate that in these case(s), in excess of fifty thousand dollars have been applied to legal retainers and my medical expenses to comply with the ill-fated evaluations and related costs. I have watched the prosecuting attorneys go-at-it with the venom that: discredits medical evidence while exalting pretense and innuendo; that purports empathy for the children while destroying any semblance of a parental relationship; and dulls-out allegations with acrimony while passing platitudes at the bench. Very simply, such participants in my family's welfare make me sick as I think about worthy uses for monies such as school expenses, medical care, and college. This too is a shame...but than I am the loser and, consequently, do not enjoy the spoils of this conflict as the others.

**A Conflict**

Yes, these cases are very much a conflict...or a struggle; not necessarily a struggle of the system of sham (or was it shame?), but a conflict of a deeper, more-lasting nature. Essentially, the conflict arises from the value placed in marriage and family within the context of Biblical teaching. As this conflict is described in a spiritual context, I do not claim to have been without fault or mistake; but I do claim to have been brought to the faith-based belief for which I am about to write and, prayerfully, for which I will avail myself to live in truth.

**Priorities**

In a recent job interview, one of the questions was: what are the three highest priorities of you life? I responded promptly with; my faith, my wife and my children (and by children, I include natural and step-children). As I responded, the question entered my mind: do I really live with these priorities? I continued with my response with the possibility that, in a moment or small span of time, these priorities may not be as easily categorized - or even identified for that matter. I know that I struggle with my own selfishness and therefore am inclined to my self first and sometimes second and third as well.

**The Heart**

Maybe what I meant (and reminded myself) was that my intention (desire, passion and all) should generally adhere to this response. That I should love all of these but can only love them as intended if I first love the Lord and seek him in all aspects of my life; and going further, without Christ (my Lord) I am nothing . As a long-time friend once said - and I'll never forget - "the intention (or heart) is what matters (to God)". Therefore, my intention should be (and ideally is ever coming to be) in the order of my response. Help me to live this way.

**The Victims**

To say again (and again if necessary), the children are the victims of this longstanding conflict: they have endured the collapse of their family structure, the absence or limits of a parent, the broken promises of a covenant, and the confused disposition of sorting-out the truth in the midst of deep-felt feelings of shame caused by someone else. Furthermore, they have been abused through the infusion of inaccurate and misleading information to the degree that they live in fear. In short, *his children are far from safety, crushed in court without a defender*, Job 5:4.

**The Victims' Advocate**

I have often used the verse from Job in the closing of my numerous letters addressed to an attorney, a court or special-interest group. This scripture sums-up what I would consider to be the outcome of the "sham" of the system that is selling-out families and generating income through federal subsidies for child support collections. The earlier quote from *The Liberator* is not an exaggeration: divorce and its consequences are big business, and the children are simply the expenses of doing business while *the beat goes on...* while the social statistics support the earlier concerns of protracted problems among the fatherless, single-parent homes. Only one (possibly two) of the attorneys that I've encountered have stood in the gap for my children; and though an impressive appeal for the children's sake, the system simply defers to the decision to the custodial parent...yes, *the beat goes on...*

**Hope and Faith**

What should a parent do when faced with this type of family crisis?, is a fundamental question that I have pondered much and even acted-on when funding was available or when goodwill took a fancy. Exhaustion and discouragement (along with some foolishness) has plagued this effort; but, the outcome has seen some light that continues to be the source of hope, of renewed strength and a *stronghold in times of trouble*. God is faithful!

**The Victims' Cry**

Another source of reading, fathers.com, recently sent-out a campaign letter that began with the question: What if there was a specific moment in time when you made the choice to determine the future of a child's life? The letter continues with the sharing of children's (or young people's) responses in the *Father of the Year Essay Contest*. One class of 12<sup>th</sup> graders responded with 17 essays - 15 of which expressed deep sorrow. Here is an excerpt from 1 of the 15:

It hurts me to talk about him; it makes me sad to think of him. The reality is that he will never be there, but I don't want to believe it! So you ask what my father means to me? He means hurt, pain, and just a wish that I want for him to become a better father.

I wonder if this except (or letter) could represent the feelings of my own children - or least my oldest, Matthew. When his grandfather approached him at a football game, Matthew was visibly worried; but after a moment, he briefly explained that if his sister (also at the game) saw his grandfather, than his father would go jail. It seemed that Matthew was genuinely concerned about his father, me. With some distance I watched both Matthew and Abby play in the marching band - it was a wonderful experience that I will never forget.

**A Father's View**

At a separate ballgame, I saw both Ben and Wesley (also named Brian) playing a pick-up game of football in the side field. Going at each other like two young rams, they reminded me of my childhood when my brother or some friends would pick-up a football just to run or be hit. I was so proud to see them running around and interacting as I use to do. At one point Wesley saw me and dashed-off presumably to tell his mother...but with a moment of grace, I told Ben that I loved him ...an opportunity that has occurred twice in six years.

Then my daughter Abby who, as I mentioned is now playing in the band, saw her grandparents as well; but she immediately ran - like Wesley had done - which further confirmed that my children have been programmed to either fear me (and my family) and/or to fear the remote possibility of some encounter that will cause their father's jailing. Surely the children have learned that any contact or communication with their parent is illegal.

I share these brief encounters for two reasons. First, because I am thankful for each as I am for each of my children and step-children. Second, because the encounters gave me some small degree of excitement if just to remind me that I have children.

**More to Come...**

I hope that some of the costs have been clearly described in this confession and, with that, my sorrow to members of my family for their struggle as well as mine. The other costs reside with my children (young people) whom have incurred the losses of a parent now and, if able to choose for themselves, may incur the loss of a parent later. Yes, the children are *crushed in court without a defender*.

There's more to come: We continue to shout our praise even when we're hemmed in with troubles; because we know how troubles can develop passionate patience in us, and how that patience in turn forges the tempered steel of virtue, keeping us alert for whatever God will do next.

In alert expectancy such as this, we're never feeling shortchanged. Quite the contrary – we can't round up enough containers to hold everything God generously pours into our lives through the Holy Spirit.

- Romans 5, *The Message*

Thank you for your prayers,  
Kirk Rainer