

Plight of a Parent – Injunction

Because I cannot obtain legal council, I am compelled to write about...
- Kirk Rainer, a dad of four children

This may be a single letter or it may be multiple letters; but no matter the quantity, it is written as the only means presently to show that an injunction – filed against me in 2006 – is without veracity or simply expressed, is not the truth. Obviously the letter is not formatted or structured to legal standards – but than I am not a legal representative – but only a dad who has tried desperately to have some semblance of relationship with his children. I have titled this letter, *Plight of a Parent*.

Since the injunction is the source of my misdemeanor (violation of the injunction), I will first address this document as: ill-derived; then as ill-conceived; and finally, as ill-processed – through the court system. By “ill-derived”, I mean that the basis or claim of the injunction cannot be derived (directly or indirectly) from the referenced legal, source-documents. By “ill-conceived”, I mean that the intent of the injunction is not for protection (of my children) or restraint (of their dad), but to bring hurt to me and to my family – but with the consequential and certain long-term hurt to my children. By “ill-processed”, I mean that the content of the injunction was never validated for its veracity to the referenced documents as due-process.

Leading to the initial trial in June of this year, my legal council (I did have legal council for the trial) described an injunction as “having many layers”. I took his description to mean that this legal document is complex and could therefore involve open-ended and exorbitant costs to reverse or overturn. Perhaps the words of the late Johnny Cochran (trial lawyer in the O.J. Simpson case) apply in this multi-layer injunction: “the color of justice in the U.S. Courts is green”. Pondering the possible costs for such a court action causes me to imagine my children in the backdrop of the Old Slave Market of St. Augustine with ownership to the highest bidder.

Beyond imagination, the injunction has a long history of which I will not fully detail in this letter; but instead, will concentrate on the injunction only as the representation or culmination of a series of restraining orders dating back over seven years. The injunction was conceived sometime in late 2005 with a modification in early 2006. Represented in two pages, the injunction imposed the most stringent of restraints that effectively would render by parental rights null and void, in perpetuity – or until such time that my children reach the legal of 18 by which a relationship with their dad will no longer be illegal or otherwise regulated by the state.

Needless to say, the basis or claim of the injunction would have to be proven as truth and in all other ways warrant such a Draconian measure of restraint or restriction on a parent. The excerpt below is the basis or claim of the injunction:

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.

The referenced document, or the Final Judgment of Divorce for the State of Georgia, cannot be included in or with this letter – simply because it contains over twenty pages with an estimated five pages dedicated to the details of visitation. With this omission in mind, I understand the limitations of the reader; but for the courts and originators of the injunction, I give no such tolerance. The Final Judgment contains no language pertaining to the plan of visitation, explicit or implicit, as described in the excerpt above.

Yes, that's right; the Final Judgment does not contain any language or reference to a licensed psychologist. To elaborate, if the reader did a word search in this twenty page document, you would not find "psychologist"; and if you did have access to the document, you would not find any similar reference to mental evaluations or the like. The Final Judgment specifically outlines a plan of visitation for the non-custodial (or myself) that I describe as conventional: unsupervised visitation every other weekend; Thursday nights for approximately 2 hours; alternating holidays; and similar details that regulate participation in my children's lives. The injunction is an ill-derived document.

Preceding the ill-derived document is the ill-conceived document – where the intent of the document is questioned and the adage applies, *the end justifies the means*. As I mentioned in the introduction, the intent (or *end*) has been to bring hurt to me and to my family – but with the consequential and certain long-term hurt to my children. With this *end*, the *means* was crafted by a prosecuting attorney as both ill-derived from the Final Judgment and ill-conceived by subjecting my children to parental alienation with all its consequential and certain hurt. The injunction is an ill-conceived document

Referring again to the excerpt from the injunction, I must address the initial word, "implicit". The prosecuting attorney's decision to use this word – or to reduce the basis to an inference or implication, was because such a basis or claim could not be explicitly derived from the Final Judgment. The Final Judgment does not contain any language or reference to a licensed psychologist; furthermore, it includes a plan of visitation that is

in sharp contrast to that described in the excerpt. The injunction is without veracity or simply expressed, is not the truth.

Responding to Jesus, Pilate asks, "What is truth?" Well, I am not sure that the prosecuting attorney could accurately or willingly respond to that question, but I would hope that the courts could through due-process – or legal proceedings aimed at protecting individual rights and privileges. Having found such sharp contrast between the plan of visitation in the Final Judgment and the excerpt from the injunction, I am compelled to believe that courts might struggle with the question as well. Obviously not learned in the methods of crafting an injunction, I cannot imagine how due-process overlooked the truth. Beyond imagination, the injunction is an ill-processed document.

Because I cannot obtain legal council, I am compelled to write about the injunction as well as the other devices that have been used (or abused) in the *plight of a parent*. The next letter (if drafted) will address the device of mental illness or parental unfitness; and in this letter, the reader will see how pretense and innuendo have taken precedence over medical reports – court-ordered medical reports no less!