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NYS family court most definitely needs many reforms. My personal experience was horrific and to the detriment of myself and my family. Brief background is that I divorced my ex-spouse in 2013 where my young children shared 50/50 joint custody. I was the main caretaker of the two children, taking care of school, extra curriculars, appointments and various other needs. The children actually spent more than 50% of the time in my care, since I was often contacted to get them during my ex-spouse's time. This was the case until November 2020 when the two boys were 15 & recently turned 13.

November 2020 our oldest (15) went to school making false allegations against me which prompted a CPS investigation. The day after CPS was contacted my ex-spouse filed an order of protection on the children's behalf with no evidence except the made-up stories that were told by my ex. A week later my ex-spouse contacted 911 for my oldest (15) to do a police report based on their concocted story. This again was based on no evidence except for the story told by my son to the police in the presence of my ex-spouse. The DA's office decided to charge me with EWOC, again only based on a police report that was false. I'm told in NYS when it comes to children "we error on the side of caution" and false allegations are made every day for people to defend against.

December 2020, CPS was unfounded and the copy of the report I obtained showed support that the allegations were not true. However, with being stuck in the family court system with court players in it for themselves, I was told trial or settle. I later found out that the two attorneys (I switched attorneys part way through), either attorney should've filed in family court like I asked, taking it out of DV court, since it was truly a custody/child support issue. I was basically told that my attorneys mishandled my case. I was told this by my third attorney after everything was settled and then filed in family court. There was nothing I could do for hiring inept attorneys. Also, I refused to put my 15- and 13-year-olds through a trial and endure further pressure from their father. I settled to an additional 9-month order of protection to take my children out of adult conflict. The AFC just continued to tell me that his job was just to do what the children want. I was told by other AFC's that yes, their job is only to do what the children say. This is absurd to me when the human brain isn't fully developed until about 26 years of age. They are still children and more needs to be done to protect children then letting them tell false allegations because of pressure by a vindictive parent.

The criminal charges where no charges should've been filed based on no evidence, I settled as well. My attorney and the ADA basically said in court that this case was my ex-spouse manipulating my now 16-year-old son. I have the court transcript for this case and the discovery which was only the police report and 2 calls by my ex to 911 requesting a report be done. Remember this is 2 weeks after the fabricated incident. The Judge wanted me to go to trial but again I refused to put my 16-year-old on the stand to endure more trauma due to adult conflict.

Back in November a week after the CPS report, my ex-spouse also filed for child support to be changed. During our first virtual appearance in DV court he also stated to the Referee that he wanted me to pay him child support. All of this in my opinion is what motivated all of the false allegations and court proceedings. I was then in child support court where his support to me was stopped and I was ordered to pay him due to him having the children living with him. Mind you he makes 4x my salary, all the lies told and myself deciding to settle for my children to be out of adult conflict. This is how our family court system works and it isn't appropriate.

Myself oldest, now 18, came to see me in June 2023. He told me that not having his whole family sucks and has taken a toll on him. You see my boys have alienated all biological family due their father not wanting them to have contact with my family or his own family that doesn't agree with his manipulation. I had contact with my son for 2.5 months through Instagram until his father found out and again, I am blocked. People say he's 18 so he can decide for himself but he is still dependent on his father and doesn't want to leave his younger brother. Manipulation and control can continue are start at any age until a person finds the strength to break free. It took me 13 years to break free from my ex-spouse's manipulation and control, how can I expect my children. This is where the courts need to intervene and involve outside entities/counselors trained in family dynamics.

There is more I could go into and proof I could show, but I wanted to be brief as to some of my issues with the family court system. I am available to be contacted if anyone is interested into discussing anything further. I am not alone in the way the family court system has failed families and children. In today's day and age, we should be further ahead instead of continuing to deal with outdated systems and laws. I have tried to advocate in the past however I find many legislators don't truly care to listen or do anything about it. I was told by one legislator that when I had an order of protection and withdrew it on my ex during the divorce that it was my fault for not letting the system work for me. I had young children and didn't want to be in court any longer, I just wanted to be safe. At that point a divorce agreement was signed so I withdrew to not cause more trauma to myself or my children.

Sincerely,

Amy J Harrod