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## Custody rulings rapped

*Mothers ignored by judges, women say*

By **Judy Masterson**  
STAFF WRITER

WAUKEGAN — Women who have lost custody of their children staged a protest Tuesday at the Lake County courthouse, vowing to carry their fight for family court reform to the Illinois Supreme Court and beyond.

Wearing purple scarves around their necks and handing out purple ribbons, members of the Illinois Coalition for Family Court Reform are holding protests at courthouses around Chicagoland during October, Domestic Violence Awareness Month, in an attempt to underscore the connection they see between child custody disputes and domestic violence.

"There is something wrong in our family courts," said event organizer Annette Zender of Woodstock. "Children are being torn from their mothers and custody is awarded to fathers who, in many cases, have histories of abuse and were perpetrators of domestic violence on their families. "

Zender, who lost custody of her daughter four years ago, alleges a pattern of injustice in family court related to over-reliance on paid experts, prejudice against women who claim to be victims of domestic violence, and batterers who convince courts victims are mentally unstable.

Protester Karol Magistrelli of Libertyville said she was forced to pay \$12,000 per year for supervised visits with her two daughters.

Like Zender, Magistrelli lost custody after alleging abuse she said was related to her by her daughter. She was declared unfit to parent by a court-ordered psychological evaluator.

"I want to warn women that if they're in an abusive situation, do not report it," Magistrelli said. "In Illinois, you'll get your kids taken away."

Catherine Campbell of Gurnee, who along with Magistrelli and Erin McRaith of Glenview, has filed a discrimination suit against officials with the Lake County Circuit Court and the state's attorney, called on Attorney General Lisa Madigan to lead the reform.

"Lisa Madigan can do this," said Campbell, who carried a sign that read "domestic violence is a crime in any court."

"Domestic violence is a criminal matter and needs to stay in criminal court," Campbell said. "Too often, judges see charges of domestic violence as a ploy to get custody and send the case to family court."

All three women lost their marital assets in divorce and then faced off against wealthier ex-husbands in costly custody battles.

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McRaith of Glenview, who wore a shirt embroidered with the admonition "Stop giving custody to child abusers" pointed to women like Lillian Caravello, former wife of a Highwood attorney, who works as a telemarketer and sees her daughters for an hour a week — when she can afford the \$50-per-supervised visit.

"This is absolutely a sickening thing that these women can't see their kids because they don't have enough money," McRaith said. "Some of these mothers have to decide between paying the rent and paying for visitation."

Attorney Brian Hurst, who paused to watch the protest but declined comment on family court because, he said, he was representing a couple of the women in on-going custody disputes, stated, "They have an absolute right to protest."

The coalition, which is supported by 165 women, many of them former stay-at-home parents, claims that mothers in Illinois are losing custody at a higher rate than women in any other state.

The group points to studies including one cited by the American Judges Foundation which found that "batterers have been able to convince authorities that the victim is unfit or undeserving of sole custody in approximately 70 percent of challenged cases."

Coalition members recently protested outside the Cook County courthouse and also plan to rally in DuPage, McHenry and Kane county seats.

"We must get our stories heard," Zender said. "It would be nice if they (the courts) invited us in for a meaningful discussion. But it's easier to believe the mother has a problem than (that) the system is broken."

10/12/05

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