Photo credit: Fly_dragonfly

Chris Strickland's Story

by Traci L. Slatton

Continued from PSG Issue 01, *The Short Straw in a Rigged Draw*

In the most primal way, it was supposed to be about love. Chris Strickland and her former wife fell in love and wanted to build a family. Chris thought they would be together forever.

This journey of having children is always primal and almost always interwoven with love, if not at inception then when an infant is held in arms. It is fundamental to who we are as human beings: biological creatures of soul and psyche. William Blake says "We are put on Earth a little space/That we may learn to bear the beams of love." Nothing teaches us love like having children.

For a same-sex couple embarking on the journey, there is a special sweetness. Cultural and legal prohibitions did not permit such couples to build a family together until recently. It wasn't until the 1970's that gay and lesbian parents were shown openly and sympathetically in the media, in films like "That Certain Summer" (1972) and the documentary "Sandy and Madeleine's Family" (1974). According to "Milestones in LGBT Parenting History" in The Washington Blade, it wasn't until 1979 that a gay couple in California became the first in the country known to have jointly adopted a child—and it wasn't until 1997 that New Jersey became the first state to legally allow same-sex couples to adopt jointly[1].

Until 2016, Mississippi law imposed a ban on same-sex couples adopting children. This was a baldly stated injunction: "Adoption by couples of the same gender is prohibited." Mississippi was the last state to maintain such a ban. Chris Strickland and her former wife and their two children live in Mississippi.

The Supreme Court ruled in Obergefell v. Hodges that states can not keep same-sex couples from marrying and must recognize their unions. This decision was reached on June 25, 2015. Mississippi had a ban on same-sex marriage firmly in place until November, 2014, when a district court judge ruled that the ban was unconstitutional.

However, enforcement was stayed pending appeal. Then Obergefell v. Hodges ended the debate. Lesbian and gay people were accorded equal rights, equal dignity, under the law. They could love openly and sanctify their love through marriage.

Marry legally and the next thought concerns children.

Chris and her former wife hadn't waited for Mississippi to grant them the right to marry. They flew to Massachusetts in 2009 and got married there. Their Certificate of Marriage for the Commonwealth of Massachusetts is dated November 19, 2009 and was recorded by the clerk on November 24, 2009.

The catch was that their home state of Mississippi didn't recognize their marriage as legal.

Chris and her former wife hadn't waited for the law to come around to recognize their rights before they embarked on the journey of building a family, either. They adopted a six-year-old boy in 2007. Chris' ex-wife was the legal parent; her name was on the adoption papers. Chris had two grown children and her ex-wife wanted to be the legal parent, and besides, their relationship was stable. Chris was committed: this was the person with whom she would spend her life, and their child would be her life.

Chris spent time with her son, doing the ordinary daily things with him that all parents do: playing with him, sharing meals, taking him to school, taking care of him. She coached his baseball team. He called her "Mama." She says, "He was my Man."

After Chris and her former wife were married, they set about expanding their family. They wanted a baby of their own. They tried the turkey baster route and it ended in miscarriage, so they opted for in vitro fertilization.

They researched sperm banks via Google and chose one in Minnesota. They agonized over the choices of sperm donor. One night they were in bed with fifteen donor pamphlets and they decided that they'd each throw five pamphlets into the middle. There was only one donor they both threw: a tall Romanian.

"We wanted someone tall and not overweight," Chris told me. "I showed my friend at work and she said, "Oh my God, that sounds so good!""

Losing a child, under whatever circumstances, is the most primal, most devastating wound.

They ordered the sperm and went to a fertility clinic in New Orleans that didn't discriminate against same-sex couples. Chris' former wife was younger and wanted the experience of being pregnant. She carried the baby. Chris accompanied her to almost all the obstetrical appointments. Her name is on all the clinic paperwork.

Their little boy was born in 2011. He arrived a few weeks early via emergency caesarean section, so they couldn't fly to Massachusetts to have him, as they'd originally planned. In Massachusetts, both their names would be on the birth certificate. That wasn't possible in Mississippi.

A recent picture shows an adorable tyke with mischievous dark eyes and an impish grin. For his first year, Chris stayed home with him after her wife's maternity leave ran out. Her former wife made a lot more money. Chris was making minimum wage.

The loving family was shattered in January, 2013. First, Chris' mother died. Ten days later, Chris' former wife wrote a letter saying she was leaving. The marriage was over—the marriage that still wasn't recognized in their home state.

Chris was heartbroken and struggled to adapt. For a while, she had the baby every other week. Her older son visited whenever he wanted. She paid child support and split all costs for school and after school activities. She and her former wife agreed that they would raise the children together.

The former wife had left Chris for a man. Six months later, the former wife married the man in Mississippi, which perhaps seemed legal because Mississippi didn't recognize her prior marriage with Chris.

However, Chris knew that they were married. She felt uncomfortable with her former wife's bigamy. In August 2015, just a few months after Obergefell v. Hodges, Chris filed for divorce in the state of Mississippi.

Receiving divorce papers angered her former wife, who took the boys and refused to allow them to see Chris.

It was almost fourteen months before Chris saw her sons again. When visitation resumed, her older son refused to see her.

Losing a child, under whatever circumstances, is the most primal, most devastating wound. To have it inflicted by a former partner on a parent is cruel beyond the pale. It's cruel to the parent, whose arms and heart ache to hold her children; it's an unmitigated and unending cognitive dissonance to be suddenly cut off from beloved children. It's just as cruel to the children.

The point of attacking a target parent's lifestyle or differences is to instil within children the belief that they shouldn't have a relationship.

This severing of a child's bonds with a parent by the other parent is called parental alienation, and Chris had become a target parent.

Dr. William Bernet, professor emeritus of the Department of Psychiatry at Vanderbilt University School of Medicine, explains, "Parental alienation is a mental condition in which a child—usually one whose parents are engaged in a high conflict separation or divorce—allies himself strongly with one parent (the preferred parent or alienating parent) and rejects a relationship with the other parent (target parent) without legitimate justification.[2]"

The ex-wife and her new husband had moved to a new town, where the ex-wife took Chris off all medical and school records. She replaced Chris' name with her new husband's. She seemed to want to hide her lesbian past from her new straight friends and her new husband's family. Chris says that her former wife instructed the boys not to call Chris "Mama."

"She wanted to wash me out and thought I'd eventually go away," Chris told me. "But I dug in."

Chris texted her older son every day, "I love you."

Parental alienation doesn't happen by accident. It is strategic. It is tactical. There are typical patterns and ploys used by alienating parents to sever the bond of love and connection between the child and the target parent.

Dr. Amy Baker, author of books on the topic and a nationally recognized expert in the phenomenon, identifies 17 strategies used by alienating parents, strategies that fall into 5 primary categories:

(1) poisonous messages to the child about the targeted parent in which he or she is portrayed as unloving, unsafe, and unavailable;
(2) limiting contact and communication between the child and the targeted parent;

(3) erasing and replacing the targeted parent in the heart and mind of the child;

(4) encouraging the child to betray the targeted parent's trust; and

(5) undermining the authority of the targeted parent.

Taken together these parental alienation strategies foster conflict and psychological distance between the child and the targeted parent. When one parent engages in these behaviors they can be considered a toxic ex[3].

Stanley Clawar and Brynne Rivlin's thorough book Children Held Hostage identifies the brainwashing strategies of those "poisonous messages," which include group dynamics, highlighting the target parent's differences from a well-defined group, and attacking the lifestyle of the target parent as part of a thematic focus[4]. The point of attacking a target parent's lifestyle or differences is to instil within children the belief that they shouldn't have a relationship with the target parent.

On the sociological front, Dr. Jennifer Harman, a research psychologist and associate professor of psychology at Colorado State University, presents parental alienation as a domestic abuse and social justice issue. Alienating parents use ingrained cultural stereotypes about parents to target the other parent for alienation. It hurts the children, she argues, but the primary end is to hurt the target parent, so it is a form of domestic violence[5].

These resources paint a picture of the phenomenon that embroiled Chris. Her former wife physically prevented the children from seeing her, which falls squarely into Baker's category "limiting contact and communication." Telling the children not to call Chris "Mama" and removing Chris' name from medical and school records is a way to "erase and replace the targeted parent." The ex-wife certainly behaved like a toxic ex.

In this specific case, Chris was navigating the minefield of sexual identity and sexual *(Cont. on p. 29)*

It should have been about love. It should have been about the time, care, and resources Chris spent parenting her boys.

(Cont. from p. 27) preference expectations. For one, her former wife accused her of abuse, something alienating wives commonly do, according to Dr. Harman, because our inherent cultural programming dovetails with the claim that men or fathers are abusive. Her former wife carried the baby, so Chris was placed in the role of "dad" even though she is equally as nurturing a mother as her former wife is.

In addition, the issue of same-sex parents is fraught in Mississippi. LGBTQI people have faced serious legal challenges not experienced by straight people. The ban against same-sex adoption wasn't struck down until May 2, 2016 and even after Obergefell v. Hodges, proposed law HB 1523, "The Protecting Freedom of Conscience from Government Discrimination Act" would have included language formalizing religious beliefs or moral convictions that "marriage is or should be recognized as the union of one man and one woman."

Fortunately HB 1523 was struck down. But there remains an undercurrent of unease about LGBTQI people, or no such law would ever have been proposed. According to a New York Times article of April, 2016: "Mississippi lacks any legal protections for gay, lesbian and transgender people in housing, employment or public accommodations such as restaurants, hospitals and schools. At the same time, the Fair Housing Act, passed in 1968, does not cover sexual orientation and gender identity[6]."

By all accounts, Mississippi is a cold, hard place to be LGBTQI. Chris remarks somberly that her own father and brother support her former wife because she's in a heterosexual relationship. "My brother is a Bible-thumper and he says it's wrong and he won't have it in his house," she told me. It's the sting of another betrayal on top of what she has already experienced.

Chris relates that her former wife discussed Chris negatively in front of the boys and told them that their marriage wasn't legal even though they were together. Baker's strategies numbers 1 and 5 apply: Chris is portrayed as unsafe because the marriage wasn't legal, and Chris' authority is undermined.

Chris stood up for herself. She loves her sons and she was determined to see them again. She was determined to be recognized as their parent. On May 9, 2016, the court recognized her marriage as legal; therefore her former wife's new marriage was void. Another court date for divorce and custody was set for September 27, 2016. In the new court date, Chris was petitioning to be added to her younger son's birth certificate and to be listed as his legal mother.

It should have been about love. It should have been about the time, care, and resources Chris spent parenting her boys. Instead it came down to semantics.

Chris was granted a divorce but not the rights to her children. The final judgment of divorce states that the younger son was born not "of the marriage," in which both parties are considered parents, but "during the marriage" which may mean something else—and both parties are not considered parents.

Semantics are everything in the law, I understand that in an intellectual way. Still, I am not a lawyer. It's difficult to read the Court's decision that Chris acted in loco parentis but that she wasn't legally a parent to the children she mothered.

In fact, the decree discusses "a natural father somewhere… whose rights have not been terminated" as a means to reason that Chris isn't a parent because a child can't have three parents. The Court admits that the natural father may have signed something somewhere terminating his parental rights, but that document wasn't in evidence.

I personally think such a statement about a sperm donor opens the door to a world of future legal trouble, because if a natural father somewhere has rights, does he also have obligations?

But there are more serious implications. As Chris' attorney Dianne Herman Ellis says, "Currently Mississippi recognizes a child conceived through donor semen to a married heterosexual couple to be a child OF the marriage. The husband is automatically listed as a father on the child's birth certificate at birth. He cannot disestablish his paternity to that child, cannot avoid child support because of paternity, and is entitled to both custody and visitation just as if he provided the DNA for the conception of the child.

"To deny a same sex couple the same rights is clearly sex-based discrimination, and, as such, is unconstitutional. Mississippi will either have to grant the same rights to same sex couples that they automatically extend to opposite sex couples or Mississippi will have to bastardize every child born within a marriage through the use of donor semen —an outcome that is unacceptable. Mississippi has long held that "the polestar consideration in child custody cases is the best interest and welfare of the child[7]." Surely removing fathers from children, making these children illegitimate, and removing obligations of support from legal parents does not consider the best interest and welfare of the children of Mississippi."

Legal ramifications aside, for Chris, it was a harsh judgment. The Court awarded her visitation rights but awarded physical and legal custody to her former wife. The Court also ordered Chris to pay child support.

Chris' life is moving on. She has a serious girlfriend and they plan to marry eventually. She has support from her girlfriend's family. She reached out to GLAD, Gay and Lesbian Affirming Disciples, for moral and spiritual support. GLAD is a group within the Disciples of Christ Denomination who are affirming LGBTQI identities and celebrating diversity as part of God's great plan.

It's not just for me. I've got to do what I've got to do to benefit somebody else who is going through this.

Rev. Dr. Katy Valentine commented, "Churches should offer love and support to LGBTQI parents, standing on the side of justice. Too often, they do not. As followers of Jesus, we believe that love is the only way. Chris loves her boys, and she is their mom. She does not stand alone. A team of Disciples across the country is praying for her and standing beside her until justice prevails. GLAD is proud to stand with her." Currently, Chris sees her younger son according to her Court-ordered visitation schedule. Her older son refuses to see her, though there have some precious moments of contact. He once told her he loved her, and he recently went to a movie with her.

"Even in the car, the tension was so thick. There was no communication," Chris said mournfully. She attends therapy with the younger son when invited by the counselor, and she hopes to be invited in to a session with her older son. "I am his mother no matter what," she states.

And Chris is taking her fight to be recognized as her sons' mother to the Supreme Court of Mississippi. This isn't a custody battle, she clarifies. It's an appeal to be added to her younger son's birth certificate and to be listed as his legal mother.

It's a battle she feels alone in. "I'm the first lesbian with children in divorce court in Mississippi," she says. "The community is scared to come out and fight this cause."

The stakes are larger than one woman's love for her children, because the outcome will affect LGBTQI rights in the state. "It's not just for me," Chris says. "I've got to do what I've got to do to benefit somebody else who is going through this."

I asked her what advice she had for someone going through a similar situation. "Patience. Communication. And just try." That's when she told me about texting her older son every day "I love you."

Rumi writes, "Through love all that is bitter will be sweet." In Chris' case, I can only hope that love will see her through both her legal battles and the relational ones, so that she comes back into full communion with her beloved children. SP

References:

(1) Rudolph, Dana. "LGBT Parenting Timeline." Washington Blade: Gay News, Politics, LGBT Rights. Brown, Naff, Pitts Omnimedia, 11 Oct. 2012. Web.

(2) Bernet, Dr. William. "Parental Alienation: Misinformation vs. Facts." The Judges Journal (2015): 23-24. Web.

(3) Website: Baker, Amy JL. "Home: Amy J. L. Baker, PhD." Parental Alienation Syndrome. N.p., n.d. Web. 23 Feb. 2017.

(4) Clawar, Stanley S., and Brynne V. Rivlin. Children Held Hostage: Identifying Brainwashed Children, Presenting a Case, and Crafting Solutions. Chicago: American Bar Association, 2013.

(5) Harman, Jennifer. "Parental Alienation | Jennifer Harman | TEDxCSU." YouTube. TEDxTalks, 14 Mar. 2016.

(6) McPhate, Mike. "Mississippi Law on Serving Gays Proves Divisive." The New York Times. The New York Times, 14 Apr. 2016. Web.

(7) Albright v. Albright, 437 So. 2d 1003, 1005 (Miss. 1983).