

ALL IN THE FAMILY

The article "Family Matters" [California, Esq., January] raises important issues regarding communications and relationships between parents and children. As mentioned in the article, existing federal and state law protects communications between husbands and wives, but in most instances, does not provide the same protections for parents and their children. Isn't the parent-child relationship, like the marital relationship, worthy of such protection? After all, who is the child's therapist and confidant if not the parent? The parental relationship is subject to the same kinds of emotional damage from forced disclosure of confidential communications as is a marital one. Obviously, there would need to be exceptions in certain criminal, family law, or other cases where the child is alleged to be the victim.

As a former family law judge I frequently saw situations where one parent wanted to use the children to give evidence against the other parent. The issues usually were about alleged drug usage by one of the parents. Though it is true that the trial judge has discretion over whether or not to permit a child witness to testify, if such an event happens, or if a child feels conflicted about what to do when requested to give evidence, it is damaging to each parent's relationship with the child and should be protected and covered by law.

If we are truly interested in the best interest of the child, the time is ripe for legislative intervention and protection of basic child-parent behavioral relations: communication.

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