

My Declaration

I, Jeff Hoverson, declare:

I am 17 years old. I am aware of the difference between telling a lie and telling the truth. I am declaring under the penalty of perjury that everything I state here is true, and that these are my own words, thoughts, and feelings, and no one else's. I am capable and willing to testify in person to what I have stated here.

I am writing this declaration because I have been living in sole physical custody of my mom since May 2003 and I would like to make the physical custody change legalized. I would like for my mom to be able to make legal decisions for me and have sole legal custody of me. There was a stipulation made for this exchange of custody, but my father refused to sign it, so I'm making this declaration.

History of case:

When I was nine years old my parents got a divorce. At that time I was in the custody of my mom. From the time my parents divorced until September of 1996 I was in my mom's custody. I extremely enjoyed being in my mom's custody. After the divorce my dad moved out, so my mom's house was my home. It was nearly impossible for me to feel uncomfortable in the house I had lived in since I was born. While living with my mom I saw my grandparents (my mom's parents) fairly often. I wrote them letters and they would write me back. My dad lived with his mom after the divorce so I saw my grandparents from my dad's side too. So during that time my relationship with my grandparents was great. I have three older half-brothers. (I don't like calling them half brothers because they seem to be as whole of brothers as you could ever find). They lived with my mom while the divorce was happening, so living with my brothers, my family gave me more of a sense of security during legalities I didn't understand. Like I said, living with my mom meant living in my home. It wasn't a trashy house at all. My sister and I shared a bedroom and playroom upstairs. We had nice fields for our horses to live in and kennels for our dogs. And I even had a house cat I named. Being so young pets meant a lot to me and were considered family. I was doing well in school and attended 4-H, many birthday parties, church on Sundays, overnights with friends, and even Boy Scouts. I visited my dad on weekends. For a little while he lived with his mom, then his rental house he owned became available and he lived in that. Neither of those two places were my home. My home was with my mom at the house I grew up in, with the brothers I attached myself to, and the pets that every child should experience having. Still to this day I can't see a bad memory at that home. Unfortunately a while before custody of myself was given to my dad, my mom had to sell our home and move in with a friend of hers. Even though it wasn't the house I grew up in, I found it still to be my home and I enjoyed life immensely. I felt it was where I belonged.

Five months after my tenth birthday, custody of my two younger sisters and myself was given to my dad. It was really quite a traumatizing day. It was a school day and there had been arrangements for me to go to a friend's house after school since my mom knew she'd be in court. I planned on going to my friend's house, playing for a while, and then going home. Little did I know that the last part of that sentence wouldn't be true until seven years later. I was playing computer games when a sheriff knocked at

my friend's door. His parents were both emergency rescue personnel so I figured it was one of their friends. After talking to my friend's parents the sheriff told me to come with him. At this point I knew something was wrong and I began to cry and panic. The sheriff took me to my dad's attorney's office where I still sat and cried and waited for my sisters. The panic turned deeper. I not only was just taken to my dad, but I didn't know what happened to my mom. And on top of that I had nothing but a few schoolbooks and a single pair of clothes. From that point on I never felt secure when I saw a sheriff knocking at the door. It was as if I was just kidnapped. I was torn from everything I knew. I had no brothers next to me, no pets, and most importantly, no mom. From my dad's attorney's office we drove straight to San Francisco where he could work on a Starbucks coffee business. He worked inside putting things together, while my two younger sisters and I sat outside the shop on the curb. So now I had no brothers, no pets, I was 3-4 hours from my home, and again... no mom.

This is when I was damaged so severely emotionally. No one told me anything about my mom or why I was at my dad's or why we were in San Francisco on a sidewalk. I asked but received no answers. I felt that if I wasn't told anything that I was worthless to everyone. I was made into a possession rather than a child. And it wasn't just like that for that weekend. For the next few years I was continually hidden from the truth. The only words said about my mom were unhappy words. Thus, I not only threw away most all my self-esteem, but also lost my family and home. From that point on I can remember many many states of depression and anxiety. I found it extremely hard to sleep. I would lye awake and wonder where my mom, my brothers, my pets, and my home had disappeared to.

When the custody changed from my mom to my dad I was immediately taken out of the activities I was in, such as Boyscouts, and 4-H. I was no longer able to be with the friends that I had hung out with when I lived with my mom. My dad thought that if I went to any of their houses that my mom would come to that house and see me, so he didn't allow me to go to any of my friends' houses. Instead I was expected to like and want to hang out with my dad's friends' kids, who I didn't even know. Not only did this hurt me, but it also hurt some of my best friends that were used to seeing me a few times a week. In fact, my dad often talked of sending my sisters to a different school, because he wanted them to have friends whose parents didn't know my mom. It was like I was picked up and set back down in a completely different life. I wasn't close to my father at all and since I didn't see any of my family or friends I had no one to turn to for comfort. I can remember feeling completely lost. Being away from my life and home only hurt me more as time went on. Sleepless nights continued. I had to try my very hardest to go to sleep, because in my dreams was the only place I could go back home. That was the only reason I got the little sleep I had.

This same pattern continued for years. For an adult it usually doesn't take much time to adjust to a new environment, but I was ten years old. As I write this declaration and think of how I lived with my dad only four months ago, I still can't remember being adjusted to that life. For years I was isolated from my family and home. Months after the custody change, I could remember one of my friends coming up to me one day at school saying, "Your mom told me to say hi and she loves you." To him it was something he heard from his mom everyday. But when I heard that I went to the bathroom and just cried. It was the first that I had heard that my mom still wanted to talk to me, and the first

I had heard that she was even alive! From then on I went to school anxious everyday. Anxious to hear someone tell me about my mom and how she was doing. There was a small slice of hope.

After school things did not change though. They seemed to get worse. My dad had started showing aggression. It was not assertiveness, it was aggression. When I finally was allowed to have a friend over my dad yelled at him for taking a Kool-Aid out of the refrigerator without asking. Sure that was embarrassing, but what really hurt is when I asked the same friend to come over again he turned me down because he said my dad yelled too much and it scared him. Of course I couldn't tell my father this, because I was afraid he would get angry, or tell me to hang out with his friends' kids. I began trying to live a secretive life. I had to put on a "happy" mask at school. When people were talking about their parents taking them to fun places or something I would make up stories about my mom taking me places so I could fit in. When I saw my mom's friends at a public place I would run and hide because I didn't want them to ask me why I didn't see my mom. I didn't have an answer for that question. I had to lie so often. At church people would walk up to me and ask me if I liked living with my dad, and since he was standing right there I would fake a smile and say yes. I knew if I said no he wouldn't do anything at church, but I didn't know what he would do later at his house. I didn't know him. I just lived with him. He didn't know me either. For Christmas one year I remember getting crackers and a stick of salami as one of my presents. And one of the worst parts was that he favored my sisters so much. When we had a weekend to do something he would ask them what "we" wanted to do. It seemed like he went over the top for them and just did enough to keep me from telling someone I hated living there. I had no idea why he favored my sisters, and to this day he still favors them.

Toward the beginning of my Junior High school years I was allowed to see my mom for one hour per week. While most people spent an hour every week eating their breakfast cereal, my mom spent an hour per week seeing her own children. This was all the time she was allowed. My sisters and I would get taken to Sacramento to see her in a small room for one hour. It was horrible. I liked seeing my mom, but not as a prisoner. The room we saw her in was small, had no windows, and was very bare. It was like a jail cell. I can remember times that my mom would be in the middle of asking how we were doing when the supervisor had stopped her and told her she couldn't ask that. It was so confusing because I wanted her to ask me and I wanted to answer her, but it was unacceptable. I remember her bringing my sisters and I gifts sometimes. They weren't anything big, maybe a foam airplane or coloring books, but they meant a lot. My mom spent any extra money she had on those little gifts. Looking back now I can't say I've ever appreciated anything more in my life than those little gifts. But shortly after Marsha Nohl noticed my mom brought us gifts, she told my mom that she wasn't allowed to bring gifts anymore. Every week after the hour with my mom was over I would go home wondering if I'd see my mom again. I wished with all my heart I would, because the agency workers discouraged us to hug our mom and I figured that if I could keep seeing her every week that one week I'd sneak a hug in. Until then I had to just look at her and wave. It was truly an imprisoning environment. It hurt to not have a normal relationship with my mom. This just added more pain on top of what I already had. I felt like crying every time I walked away from my mom, but I hid it so my dad or Marsha Nohl wouldn't get upset with me.

Around this time in my life (Jr. High) I think I started outwardly showing my discontent. The court had appointed a woman to talk to my sisters and I. Her name was Marsha Nohl. At first I thought I'd finally found someone to talk to about everything I had been feeling and all the misery I'd felt. But as time went on I learned that she wasn't entirely on my side. She, like anyone else who had anything to do with the courts, was on my dad's side. Everytime my sisters and I went to see her my dad would go in her office first, then she'd see us (by "us" I mean my sisters and I). Then when she was done talking to us she'd call my dad back into her office, while my sisters and I sat in the lobby. I remember trying to talk to her about seeing my old friends that I'd been with while at my mom's house. At first she just listened and said "ok" to everything I said. Then she asked me to wait in the lobby, called my dad into her office, then called me back in while my dad was still in there and we "discussed" how me seeing my old friends could result in me seeing my mom outside of the one hour per week limit. They talked as if me seeing my mom was a national catastrophe. It was pretty much impossible to tell her anything important because it would end up coming down to her and my dad telling me what "I needed", which was really what my dad wanted. So for a few years I saw this counselor. One of the parts I hated so much about seeing her was that I had to leave school early in order to make it to Sacramento (where her office was) in time for our appointment. My friends would ask why I was leaving during class and I had to tell them that I had therapy. It probably wouldn't have felt so embarrassing to say that if seeing Marsha Nohl was therapeutic. I remember hearing a student at school say that I had "problems" because I had to be in therapy. The pointless therapy really hurt my social life at school, and affected the way my peers saw me. From that point I began to just mind my own business at school everyday because I figured that no one wanted to be friends with someone who had "problems".

During about the same time, my mom was granted permission to see my sisters and I at her house with a visitation monitor. So in other words we were seeing her on supervised visitations. Apparently the court thought that if my sisters or I were left alone with my mom that she'd tell us bad things about our dad, which I can't ever recall happening. (On the other hand, I can recall my dad saying bad things about my mom quite often.) The supervised visits posed far more a problem than I wished for. The only good that came out of the supervised visits were that I was allowed to see my mom at her home and eat dinner with her at a dinner table. The supervision was still too much for me though. It hurt because I knew that my mom wouldn't say anything wrong and I knew I wouldn't, but my dad, my counselor, and the court didn't trust my mom. So someone had to follow us around everywhere we went every evening we spent with our mom. I remember one time close to Christmas my mom and one of my sisters went into the other room so my mom could give my sister a present to wrap for me. They were both in there for a matter of seconds. The supervisor wasn't with them. My dad happened to pull up right then to pick my sisters and I up, and watched my mom and sister come out of the room through the living room window. He was furious. I tried to explain to him how harmless the whole situation was, but he just got more angry that I was sticking up for my mom. So I went home feeling guilty and hurt. And from that point on I made sure not to be anywhere near my mom unless the supervisor was standing right next to her. This supervised visitation in turn ended up hurting my relationship with my mom. And again I had another reason to cry every night, and another reason to stay awake all night.

Many things happened during my Junior High school years. Two of which have already been stated, but another was me developing a relationship with my lawyer. Like Marsha Nohl, at first I thought he was on my side. He was *my* lawyer and was appointed for *my* best interests. And again I was wrong. He completed what I call the “big three”, which were my dad, Marsha Nohl, and Larry Dixon. All three of them would sit in Marsha Nohl’s office and give us ideas of how our lives could be better and how we could have a better relationship with our mom. Their suggestion was simply not to see her at all. Mr. Dixon was completely against my mom. And at times he seemed to be against me. He told the court lies about what I wanted. Take the supervised visitations for example. When the option of having the evening supervised visitations came up, I expressed how I thought the supervision wasn’t necessary, yet the court heard Mr. Dixon say otherwise. Another example is when I asked the court to allow my mom full custody of me. I asked Mr. Dixon to make that motion for me, and he did not. He said that it was too soon to the court case that I wanted it to be dealt with on. But he said he would take it to the judge in chambers and ask him to make a decision about it on that day. Previously I had expressed that I didn’t want my dad to find out about this motion I wanted because I didn’t know what my dad would do and Mr. Dixon agreed to comply with that. This he did not do. I had previously sent a copy of my request for custody change to Mr. Dixon as well as the presiding judge. When the court date came Mr. Dixon brought up my motion in chambers. He brought it up right in front of my dad, exposing what I had politely asked him not to. Then when he did bring it up, he told the judge there was no time to deal with it that day and discouraged the judge to make any decision on it. So it was clear that this lawyer wasn’t representing what I wanted. He represented my dad. I can remember a time when my mom had heard my dad in contempt on a few things and while she was questioning a witness to my dad’s misconduct Mr. Dixon interrupted and defended my dad. A complaint that had nothing to do with him was all of the sudden being defended by him. He was no help. Instead he was hurting me. I had to go home with my dad that night knowing that Mr. Dixon had told him I wanted to live with my mom. I was scared of what he’d say or do and found myself not sleeping that night and getting very nervous around my dad. I found it extremely hard to trust anyone that the court appointed for me. So far my lawyer and counselor hadn’t helped me. I lost trust for most everyone in my life.

So mainly living with my dad for the last seven years has not been healthy for me. I had been deprived of a real childhood. Instead of having friends over (or having friends at all) I stayed home and thought of how life was when I was with my mom at my home. In the last seven years I’ve only seen my brothers a few times. I could count on my fingers how many times I’ve seen my brothers. Even today I don’t feel like I know my brothers. It hurts me to not know my own brothers. The same goes with my mom’s parents. I’ve been trying to make up for not seeing them for the last seven years. I soak up everything they say hoping that I could learn something more about them. I watch my brothers’ relationships with my grandparents and how they are so close because at no point in their life were they not allowed to see their grandparents. Seeing that hurt me and still does. For the last seven years I had learned to become completely self-reliant. Due to my experiences with the people that were appointed for me to trust, I could trust no one. I went to my best friends with my problems and no one else. I paid for things that parents normally pay for. I taught myself to be independent. Along with my responsibilities, I

kept my feelings to myself. It seemed that someone was always punishing me for wanting to be with my mom. For the last seven years I've been powerless. The people that were supposed to help me helped my father instead. For the last seven years I would come home from school and work afraid of my dad's anger. At one point in time his and his fiancée's relationship was falling apart and he said it was because my sisters and I didn't stop the rumors about him. After hearing that I felt horrible and said I was sorry that I felt it was my fault. He shot back that I was right and it probably was my fault. Things like that gave me reason to stay at school for five more minutes or go out and ride my bike as long as I could. I lost sight of what a home was. There was only negativity in the house I lived in. Living in such a positive home today is something I'm still adjusting to. I have to keep in mind that it's ok to say how I feel now that I live with my mom. For seven years I was told to follow the rules the Bible had set. My dad had been in church most Sundays, yet you would never know that if you lived in my shoes. I was expected to obey the Bible yet I was not allowed to "honor my mother and father". Instead I was only allowed to honor my father. I remember a time when my dad didn't go to church because he said he was too tired. Then a while later I left church early to go to my acting performance where my mom would be and my dad got very angry with me for "missing church to be somewhere else". I didn't even miss church, I left a little early. I "shoult not lie" yet my dad told me to say I was doing something I wasn't in order to miss a visitation with my mom. His hypocrisy taught me to keep myself from trusting anyone else, and confused me on who Christian people were supposed to be. For seven years I sank further and further into depression. The people that could help me wouldn't and the people that couldn't help me would. I lost hope and even wished my life was over many times. Yet I had to pretend everything was ok because I feared what would happen if I told everyone how horrible my life had become and what I really wanted.

As I stated before, this is the absolute truth. My mother has always been loving toward me in every way possible. She never tried to interfere with my dad's relationship and mine. She had one goal; to improve her and my relationship. My dad has been quite the opposite. It seems that he interferes with my mom and my (and my sisters') relationship every chance he gets. And since my dad has had custody of me I have only longed to know my mom. I've become extremely proud of the accomplishments she's made in family court law and individual cases.

Today I live with my mom. I left my dad's house and finally enjoy a positive environment where I can learn and see again what a real home is. I'm not in my mom's legal custody, but I'm trying to get that goal accomplished. It's important that I don't have a chance of going back to living with my father. He won't change. He'll only keep being a dictator of his house. I was tired (both physically and mentally) of living like a prisoner, lying all the time, crying myself to sleep because I lost my childhood. I was tired of being afraid to go to my house. I was tired of being afraid to love my mom. Me being in my dad's custody kept me from knowing my own mom and having her involved in my life. Being in his custody subjected me to Marsha Nohl and Larry Dixon. Being in his custody caused me to make decisions that hurt me inside. Leaving his house hurt to a point because my sisters are there, but the pain was so much that I didn't even want to try to keep living so I knew I had to leave. But it hurts now not to see my sisters everyday. Being in my dad's custody prevented me from finding comfort in anyone. The only comfort I have had in the last seven years is in my savior Jesus Christ. I'm extremely

thankful that no one (including my father) could keep the Lord's comfort from reaching me. Since I've lived at my mom's house life has completely turned around. I now know what it feels like to be happy. I am free from the fears I felt everyday. I now have two jobs, I'm on my school's snowboarding team. I am currently keeping a GPA over 3.0. Now I see reasons to live flooding me. There are so many reasons to live that I never experienced. My mind is free and clear. I can now say what I've been dying to say for the last seven years. I eat more often, I actually sleep at night, and I'm generally in a great mood. God is the only person I accredit my life's changing to. My life is great now, yet the scars of the last seven years will always remain and open every once in a while. That's something that won't change.

Today my sisters are still in my dad's custody. Although they put on their masks and say everything is wonderful, I know (because I was in the *same exact* position) that they feel just as I did. It hurts to know that they still have to live like prisoners. They will still cry about the "horrible life" they say they have when they take their masks off. I know they feel powerless, in a world where no one will help them and where they have to lie to keep from getting an attitude from our dad. I was in their shoes and lived it. My sisters can't see how wonderful life can be because of the environment they're trapped in, and that is possibly the largest scar of the hundreds.

I declare under the penalty of perjury of the laws of the State of California, that everything in this declaration is true and that it was signed in the city of Ione on September 23, 2003.

(original signed & dated on file in court)

Jeff Hoverson