

416 Maple St.
Lebanon, PA 17046
March 2, 2000

Judiciary Committee Task Force on
Domestic Realties
House of Representatives
Harrisburg, PA

Dear Committee:

Since 1996, my husband and I have been in court for custody of a child who lived in our home. Your proposed legislation does not adequately address the problems of children who are psychologically attached to people other than their biological parents or of the people in loco parentis to a child who are unjustly denied the opportunity for a hearing on his best interests. Although the child we love's custody has been in litigation for years, never once was there a decision made on the basis of his best interests.

There are serious problems with the Judicial branch of Pennsylvania government. Representative Katie True's Committee stated on p. 5 of their report on House Resolution No. 127 (spring of 1998) that (emphasis added):

"The Select Subcommittee found several problem areas within the system which may allow a child to "fall through the cracks".

A. Drug abuse and domestic violence/ multiple live-in partners

B. Accountability of the involved county agencies

C. Involvement of the court

There accompanies this letter a copy of the Federal Complaint I have filed or am today filing regarding the violations of my and the child's Constitutional rights by the Lebanon County President Judge Eby and by Superior Court Judge Kelly Jr. The complaint is quite self-explanatory.

Thank you for your attention to these matters.

Sincerely,

Abigail E. Jarboe

Abigail E. Jarboe
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"...Believe on the Lord Jesus Christ, and thou shalt be saved, ..." Acts 16:31

STATEMENT OF QUESTIONS INVOLVED

1. HAVE THE SUBJECT CHILD AND THE APPELLANTS BEEN DENIED THEIR PA CONSTITUTIONAL RIGHTS TO RIGHT AND JUSTICE WITHOUT DENIAL OR DELAY? (NOT ANSWERED)

2. HAVE THE . SUBJECT CHILD AND THE APPELLANTS BEEN DENIED THEIR US CONSTITUTIONAL RIGHTS TO EQUAL PROTECTION? (NOT ANSWERED)

3. DOES THE SUBJECT CHILD HAVE A LEGAL AND CONSTITUTIONAL RIGHT TO HAVE HIS CUSTODY DETERMINED ON THE BASIS OF TRUTH AT A HEARING WHERE ALL THE PERTINENT EVIDENCE IS CONSIDERED AND WHERE ALL PEOPLE CLAIMING A RIGHT TO CUSTODY, TEMPORARY CUSTODY, PARTIAL CUSTODY, AND/OR VISITATION ARE AFFORDED THE RIGHT TO PRESENT EVIDENCE RELEVANT TO THE SUBJECT CHILD'S BEST INTERESTS, IN ACCORD WITH PA.R.C.P. NO. 1915.6, 1915.15, and 1915.16 ? (NOT ANSWERED)

4. HAVE THE SUBJECT CHILD'S BEST INTERESTS BEEN SERVED BY THE AWARD OF CUSTODY? (NOT ANSWERED)