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**HEADLINE:** FOR PARENTS SEEKING RELIEF, COURTS DON'T ALWAYS HELP;  
IN A HECTIC AND OFTEN BEWILDERING SYSTEM, JUSTICE CAN GET LOST AS D.A. PUSHES FOR  
VOLUME AND SPEED.

**BYLINE:** GREG KRIKORIAN and NICHOLAS RICCARDI, TIMES STAFF WRITERS

**BODY:**

The crush begins early at the Commonwealth Avenue courthouse. But even if a bench or chair is empty, many people just pace, too tense to sit as they wait for their case to be called or their ex to show up.

The noise is constant: children screaming, couples arguing. The din breaks only when attorneys yell out names before ducking inside an office, file in arm, a bewildered-looking father or mother in tow.

This is the civil courthouse where child support orders are issued for children in Los Angeles County. Each month, hundreds of cases are processed, thousands of lives changed forever.

A few miles away on Bauchet Street, across from the Men's Central Jail, is the other courthouse. The only full-time criminal courtroom in America dedicated solely to prosecuting "deadbeat" parents.

Commonwealth and Bauchet, as they are known, sit in judgment over families caught up in the largest county-run child support collection program in the nation.

This is a different type of judicial system, one that serves a crucial need but is quick to put people in lifetimes of debt and slow to correct mistakes. In these courts, justice sometimes gets lost in the relentless shuffle of paperwork.

Entering the System

The first stop for many in Los Angeles County's child support maze is the Commonwealth courthouse, on the 16th floor of an office tower overlooking a neglected park west of downtown.

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"It is," said one veteran prosecutor, "an awful place to go to on a daily basis."

Because no criminal cases are heard, there are no metal detectors and only a handful of sheriff's deputies. But a squad of private security guards, guns strapped to their waists, stroll the narrow and crowded halls, breaking up the occasional quarrels between former spouses or, sometimes, first and second wives.

One parent--usually the mother--comes with hopes that the law will help her collect money to raise her children. Sometimes, she comes with a divorce order that needs to be enforced. Other times, such as when there was no marriage, she relies on prosecutors to establish the debt.

The other parent, usually the father, may come to court agreeing on the amount to be paid. But more often he tries to wriggle out of debts leveled against him, sometimes justly, sometimes not.

The majority owe some support, and even defense attorneys admit that plenty of them should be prosecuted for their failure to pay support.

"Absolute jerks," lawyer Benjamin Campos calls them.

But generally the men at Commonwealth are not stereotypical deadbeat dads, pulling up in a flashy car with a new wife on one arm and a high-priced lawyer on the other.

These men are overwhelmingly blue-collar workers who ride the bus or drive aging cars, showing up for court in jeans and a work shirt.

What happens to them in this system is sometimes as harsh as what happens to the families they owe.

Entitled to a court-appointed attorney only when paternity is at stake, the men almost always come to court alone because they cannot afford counsel. It can take months to get an appointment with the county-sponsored, free paralegal service.

When they arrive in court, many are already awash in child support debt. Their failures to answer summonses routinely lead to court orders--even if the summonses never reached them.

From that point on they are in trouble, with bills for delinquent child support quickly reaching thousands of dollars. But sometimes the accuracy of those bills cannot be relied upon.

"People get the bills and they're almost always wrong," said one prosecutor. "It's like a bank putting in a hypothetical balance instead of putting in your real balance."

So pervasive are the mistakes that even the courts have lost confidence in the government's accounting.

"The billing systems throughout the state of California are so highly flawed that no one can reasonably rely on them," Commonwealth Commissioner H.M. Webster told a father in July.

In court, these men square off against an office with dozens of prosecutors, who not only seek money for deserving families but are pressured by their bosses to speed cases through to secure more collections.

Prosecutors say they try to be fair but that their efforts often seem at cross-purposes with management.

"They want volume and they will reward people who do volume," said one prosecutor.

That causes much of the anguish at Commonwealth, said defense attorney Art Goldberg. "When your only interest is statistics . . . then you have a soulless, wretched system. And you treat people like they are worthless."

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### An Adversarial Relationship

In that quest for volume, there's little time to fix what some view as clear inequities.

Omar Moreno has been billed for more child support than he should under state law, and the district attorney's office knows it. But for more than a year the 35-year-old teacher's aide has been stymied in his efforts to set things right.

For two years Moreno regularly paid \$ 191 a month to repay the welfare system for an ex-girlfriend's child, whom he says he never gets to see. The debt weighed so heavily on Moreno and his wife that they declared bankruptcy and moved in with his mother.

Moreno knew he couldn't survive without dramatically changing his life. He took a part-time job so he could get his degree from Cal State L.A. to increase his earning potential and deal with his obligation.

He wrote letters to the district attorney's office asking that his bills be lowered while he was studying, but got no response.

Then Moreno got his opportunity--he was summoned to Commonwealth in a routine effort by prosecutors to raise his payments. Once Moreno arrived, however, prosecutors discovered that his payments should be lowered because he was earning less.

The agency decided to send Moreno home without a decrease because, they said, he had not filed the proper paperwork. Moreno said no one explained what he had to do to get the decrease.

Moreno began missing payments, and his debt grew. Earlier this year Garcetti's office seized his tax refund and took--improperly it turned out--more than half his paycheck. His family, which now includes an infant son, got its meals from food banks.

When Moreno returned to court for help, he was told his income was too high for free legal assistance.

"I think they don't understand my situation," Moreno said. "We'll keep on going like this until the point where maybe we will not find a way to survive."

Added his wife, Ana: "We have this obligation. But he needs an opportunity to improve his life. . . . If he can't improve his life, what hope awaits our baby? He will have no hope."

Dist. Atty. Gil Garcetti has publicly said his prosecutors will try to help fathers handle their debts. But Wayne Doss, director of the child support unit, said that in cases like Moreno's it is up to fathers to help themselves.

"It is not our obligation to represent this person in court, OK?" Doss said. "And maybe a lot of fathers don't like it--but in the end it is still an adversarial legal system."

Critics say that adversarial relationship often more resembles the bullying of opponents unschooled in legal intricacies.

"For some reason, the concept of the Bill of Rights does not register with the D.A.'s office of Los Angeles County," said attorney Sam Wasserson, who earlier this year challenged the county's practice of billing some men for child support even after it has proof they are not the fathers.

Former Deputy Dist. Atty. Jackie Myers said she left the office in 1996 because "I felt we were being told to do unethical, very unethical things."

Those "things," she said, included processing orders for judgments without even reading the material to justify such

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a court action. District attorney's operatives, she said, were given a clear directive: "Don't read it, just sign and get the orders through the system. . . . They were bringing them to court in boxes."

To keep cases moving, Garcetti's office has challenged court commissioners who objected to his methods.

Twice in the past three years, Garcetti's office has refused to let prosecutors appear before one of the commissioners at Commonwealth who had questioned its methods. When prosecutors refuse to "stipulate" to any of three commissioners at Commonwealth, that appointed judicial officer's workload vanishes. Eventually, the commissioner, who assumes the duties of a judge, has no work.

In 1997, Commissioner Victor Reichman refused to routinely sign off on Garcetti's support orders and questioned whether defendants had been notified about their court dates. The response: Prosecutors were told not to appear before Reichman.

"They didn't want anyone to challenge their authority," Reichman said, "and I felt that as a judicial officer, I couldn't prostitute the office and sign judgments that were defective."

Reichman was transferred from Commonwealth to hear cases in another downtown court that occasionally handles child support matters. Garcetti's office eventually agreed to procedures similar to those sought by Reichman.

Before Reichman, there was Commissioner Althea Baker, who at one point fined Garcetti's office for not returning improperly collected money. Soon, prosecutors abandoned her court as well.

Family support chief Doss said the decision to steer cases from specific commissioners originates with line prosecutors, but ultimately becomes office policy. Doss said neither he nor other administrators have acted improperly.

"What they were doing is abusing their discretion," Doss said of Baker and Reichman. "And we are not going to stand by and have people kick us around."

Baker, who was transferred to another court, has a different view. "I think they see it more as a game," she said.

Paul Gutman, the presiding judge of family law courts, said that despite the pressure from the district attorney's office, his judicial officers honor their principles.

"We are not there to help the district attorney's office increase its numbers," he said. "We are there to make sure equal justice is given."

#### Reluctance to Change Decisions

The child support courts are jammed, in part, because many times the district attorney's office is reluctant to alter its earlier decisions. If a father wants his bill lowered or a mistake fixed, he must often go to court.

"It's all a farce," Edward Gray said outside a courtroom where authorities admitted that he had paid too much child support.

A skycap at Los Angeles International Airport, Gray ended up owing some \$ 4,000 in child support because, several years before, his ex-wife had gone on welfare with their child. He never paid the amount, Gray said, because he was never notified that support was due.

"Had they sent me a letter, I would have paid, but I never got a letter . . . and they had my address," Gray said.

He did not learn about his child support debt until his 1995 income tax refund was seized, Gray said.

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Eventually, after garnishing his paychecks and three income tax refunds, the district attorney's office said Gray's debt was resolved. But with the interest factored in, Gray paid far more than he originally had owed.

"What started out as \$ 4,400 ended up costing me more than \$ 7,000," Gray said.

In addition, the district attorney twice suspended Gray's driver's license and continued charging him even after his debt, including interest, was paid and his daughter, now 13, was living with him, Gray said. Although it has returned the overpayment, the district attorney's office is still taking money from his paycheck.

"They give it to you over there, boy," Gray said, shaking his head. "They give it to you."

Commonwealth is the last chance parents like Gray have of correcting sometimes grievous errors, putting an immense strain on some who must journey there.

Mary Smith must use a wheelchair and has \$ 6 to her name. Garcetti's office billed her for \$ 24,000 in child support for a son now living in Nevada. Panicked, Smith called prominent attorney Gloria Allred, who took the case for free.

Allred said she tried to resolve the case out of court, making repeated overtures to the district attorney's office, but got no response. Smith was left with no option but to leave her San Fernando Valley nursing home and appear at Commonwealth.

With the high-profile Allred by her side, Smith's case was swiftly cleared up.

"Talk about trying to get blood out of a stone," Allred said of the district attorney's office. "It's an organization without a heart, without any compassion, and without a sense of priorities, and we have a right to expect more. . . . Pursuing a case like this shows a system run amok."

Even when a case is at Commonwealth for the right reasons, moving at a pace common to any courthouse, the dynamics can be explosive.

Cathy Castillo and her ex-husband, Victor Castillo, got into an argument about custody issues in August while Commissioner James Copelan was trying to sort out the child support owed.

The commissioner would have none of it.

"It's time that you start putting these issues, these poison issues, behind you," Copelan said before ordering support.

From Civil to Criminal Court

If delinquent parents refuse to pay the debts established in Commonwealth, they can be hauled into the criminal court on Bauchet Street.

Some proponents of criminal penalties will say that there is no other way to get the attention of the worst deadbeat parents.

But as Los Angeles County's criminal prosecution program grows bigger each year, so can the problems--and mistakes--that threaten jail time for men with no hope of paying their obligations. Worse, sometimes the wrong man faces jail.

Ron Miller, 33, of Carson, was arrested June 6. He spent 26 hours in jail and four hours in court, even though it was another Ron Miller whom authorities wanted for failing to pay child support.

After spending the morning in court, Miller showed his driver's license to the bailiff and was released. He also was

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given a slip showing that he is not the delinquent Miller, should the issue come up again.

"They didn't apologize or anything," Miller said. "They figure they're doing OK because they let me go and I should be all happy."

For Commissioner John Ladner, who threw out Miller's case, it was an example of how his court manages to sort out an often-tangled system.

"We're not a typical criminal court," Ladner said. "It's not as black and white, good guys and bad guys, around here."

Most of the time, he says, things are right. The defendant needs to be scared into paying with the threat of jail. Usually Ladner puts the man on probation, promising jail time if he fails to live up to his obligation. Ladner estimates that only 10% of the people who appear in his court ever see jail.

Although Ladner said he believes that some criminal prosecution is necessary, a debate is raging over whether there are more efficient ways to collect support from the worst of delinquent parents. This at a time when Garcetti's office is filing more criminal cases than ever--6,500 last fiscal year. That is three times more than the rest of California combined.

"It's the only thing they do good," said Nora O'Brien, state director for the child support advocacy group ACES, or Assn. for Children for Enforcement of Support. "Money falls from the sky when criminal prosecution charges are filed."

She cited one case in which a delinquent father wrote a \$ 60,000 check after being arrested for not paying child support.

But even among child support advocates, views differ.

"Criminal filings are generally a sign of failure," said Paula Roberts of the Center for Law and Social Policy in Washington. "Generally the last thing you want to have to do is file a case. The point of the system is . . . to get child support."

And critics stress that the foundations of a child support system are in the civil courts where the debts are established. That is why people who are criminally prosecuted still must return to the civil courthouse on Commonwealth to alter their debts.

#### When Resolutions Aren't the End

Outside Commonwealth this summer, county probation officer Willie Bull wrestled with his child support nightmare.

Minutes before, he had attempted to resolve his case by coming to the courthouse to talk with a prosecutor. He still looked stunned as he contemplated her explanation that the only way to get his case heard was to pay a \$ 200 filing fee for another court date.

The district attorney's records, he said, show that he owed \$ 12,056 in child support from the period several years ago when his wife was on welfare for six months. The two are now reconciled and live with their daughter.

Although the welfare department closed its case, he said, the district attorney's office has kept its action against him open, piling on interest charges in the process. Bull said the agency told him that the monthly support obligation will stay at \$ 361 until he gets a new court order.

Before heading back to his office, he uttered a refrain common around the courthouses that preside over child

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support.

"Somebody," he said, "is not doing their job."

\*

Times researcher Janet Lundblad contributed to this story.

#### About This Series

Sunday--The county's child support program may be the worst in the nation, driving families into financial ruin while hiding its problems through questionable bookkeeping.

Today--Trying to resolve child support problems proves to be a daunting task in a court system pushed by the district attorney's office to focus on volume and speed.

Tuesday--Weak state oversight of counties like Los Angeles has left California with one of the poorest child support systems in the country. Yet its leaders fight key reforms.

#### Who to Call for Help

The following organizations provide free or low-cost advice on child support matters:

\* ACES (Association for Children for the Enforcement of Support) (800) 738-2237

\* Harriett Buhai Center for Family Law (323) 939-2174

\* Lawyers for Family Support (323) 852-1475

\* Legal Aid Foundation of Los Angeles (323) 801-7991

\* Levitt and Quinn Family Law Center (213) 482-1800

\* My Child Says Daddy (323) 296-8816

\* Neighborhood Legal Services (800) 433-6251

\* SPUNK (Single Parents United 'N Kids) (562) 984-2580

#### To Comment

For readers wanting to comment on these stories, e-mail: [child.support@latimes.com](mailto:child.support@latimes.com)

Times Web site bulletin board: <http://www.latimes.com/child.support>

**GRAPHIC: PHOTO:** Carlon Washington, left, argues with Deputy Dist. Atty. Isodoro Baly, saying that his child support payments have been computed inaccurately. The case ended up before a judge. **PHOTOGRAPHER:** ROBERT GAUTHIER / Los Angeles Times **PHOTO:** Below left, Hassan Husser waits with fiancée Cheryl Givens at Bauchet courthouse. They arrived at 8:30; the case wasn't heard until 4:30. **PHOTOGRAPHER:** ROBERT GAUTHIER / Los Angeles Times **PHOTO:** Below, Edward Gray bides his time in the hallway of the Commonwealth courthouse. The D.A.'s office owed him money for overpayments. After he was repaid, money was still being taken from his paycheck even though he no longer owed support. **PHOTOGRAPHER:** ROBERT GAUTHIER / Los Angeles Times **PHOTO:**

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Cathy Castillo, far left, with 8-year-old son Michael, was determined to stay off welfare and sought the district attorney's help. PHOTOGRAPHER: ROBERT GAUTHIER / Los Angeles Times PHOTO: Left, Omar Moreno, feeding his son, was billed for more child support than state law says he should. As his family's debt has grown, they have been forced to declare bankruptcy. PHOTOGRAPHER: ROBERT GAUTHIER / Los Angeles Times PHOTO: In court, waiting men watch an endless parade of cases. PHOTOGRAPHER: ROBERT GAUTHIER / Los Angeles Times

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