

Dinosaur Tales

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Highlight

Sometimes a judge needs a little help from his friends. In this composite from real cases, one judge got his assist from a popular children's television show character.

Body

the little boy -- he could not have been older than 4 years -- and his older sister walked hand-in-hand into the robing room where the judge, his secretary and the court reporter awaited them. The children had been the subject of a bitter custody battle between their parents, two prominent Park Avenue physicians.

Charges and countercharges had been exchanged between the parents, leading the judge to decide that the best way to get at the truth was to talk to the children directly. This opinion was reinforced when he received a handwritten letter from the little boy's older sister indicating that she and her brother would like to meet the judge.

The judge noticed that a woman who appeared to be their nanny had brought them to court. Both children were dressed expensively. The girl wore a pleated skirt with leggings, a blouse and sweater; a colorful ribbon swept around her brown hair. She was about eight years old and was clearly in charge. Her brother wore a light blue knit shirt and a pair of gray slacks.

The judge beckoned them in and asked the children to sit to his side; he explained to them why the court reporter was there. Both children sat up very straight across from the reporter.

"So," said the judge, "you're Amy, right, and you're Peter?"

"Yes," said the little girl.

The boy looked at the judge with enormous brown eyes, just barely nodded, then looked at his shoes.

"You know who I am," said the judge.

"Sure," said Amy. "You're the judge. You are going to tell us where we are going to live."

Charles Buckland

Dinosaur Tales

"Well, it is not quite that simple," said the judge. "Do you mind if I ask you a couple of questions?" he continued.

The little girl shook her head. She peered over the table at the court reporter's machine.

"How do you know the letters?" she asked.

"Practice," chuckled the reporter. "When the judge finishes talking to you, I'll show you how it works, OK?"

"OK," said the little girl.

"Amy," inquired the judge, "where do you go to school?"

"Dalton," she said.

"And, what do you like to do outside of school?"

"Well, let's see," she said. "I have ballet lessons on Tuesday, and art lessons on Wednesday, and I see my therapist on Wednesday, too. On Thursday, I have piano lessons and also pottery class."

"That's a lot to do," said the judge.

The little girl nodded.

"And what about you, Pete," said the judge. "What do you like to do?"

"We call him Peter, not Pete," Amy corrected the judge. "And he goes to preschool. He likes to play kickball."

"Well, OK," said the judge, turning to Amy, "you wrote me a letter saying you had some things to tell me."

"Yes," said the little girl. "We want to live with our mother. We don't want to live with our father. Right, Peter?" She looked at her little brother, who nodded his head up and down.

"Why's that?" said the judge, concentrating his attention on Amy.

"He's mean; he always yells at us when we visit him."

"I see," said the judge. "Anything else?"

"He gives us terrible food when we're with him."

"Like what?"

"Well," Amy said, "he never has anything in the refrigerator so we're always eating at McDonald's or Taco Bell or someplace like that."

"What kind of food do you like?" said the judge.

"We only eat organic foods."

"I see," said the judge. "You mean you don't like hot dogs or Big Macs?"

"No," said the little girl.

"How about pizza?" said the judge.

"Well, if it's whole grain pizza, I guess that's OK."

"What about you, young man?" asked the judge, turning to Peter.

Dinosaur Tales

"He only likes organic food, too. He hates junk food," said Amy. Her brother sat on the chair looking down at the satchel he had carried in and placed on his lap.

"How about visiting with your dad?" said the judge.

"We don't want any visitation schedule," said Amy. "We never have a good time with him."

"I know, I know," said the judge. "He doesn't have the right foods, but what things do you do when you are with him?" he asked impatiently.

"I don't know," said the little girl, shrugging.

"Do you go to the movies with him?"

"Sometimes."

"How about the beach?"

"Maybe."

"What movies have you seen with him?"

"Aladdin."

"Well, you must have liked that?" said the judge.

"No, it was stupid."

"Anything else?"

"No, I guess that's it," the girl said. "But, I want to remind you that we want to stay with our mother, not our father. Isn't that right, Peter?"

The little boy nodded, but didn't say a word.

"Listen," said the judge to the little girl. "Do you mind if I talk to your brother alone for a minute?"

"Well, my mother said I should stay with him."

"He'll be okay," the judge assured her.

With that, the judge's secretary accompanied Amy out the robing room door.

the judge looked at Peter for a moment, as the youngster continued to play with the drawstring on his satchel. The boy hadn't smiled and hadn't said a word since he had walked through the door. The judge asked him a couple of questions, but the most the judge could elicit was a no or yes, and once Peter shook his head.

Finally, ready to end the discussion, the judge said to Peter, "By the way, what's in your bag?"

"My friend," said Peter.

"Could I meet him?" asked the judge.

"OK," said Peter, and out of the bag the young boy pulled a purple-colored stuffed dinosaur.

"Who is he?" said the judge.

"He's my best friend," said the boy.

Dinosaur Tales

"That's Barney, isn't it?" asked the judge.

"You know him!" exclaimed the little boy.

"Of course I know Barney," said the judge. "He's the best make-believe friend in the whole world."

The little boy hugged his Barney close to him. The judge thought for a moment and said, "Maybe you and I and Barney could talk, OK?"

"OK," said Peter.

"Can I ask Barney some questions?" said the judge.

"Only kids can hear him answer," said Peter.

"Well, OK," said the judge. "How about if I ask Barney some questions and you tell me his answer. How's that?"

"OK," said the young boy.

"Well, Barney," said the judge, "how do you and Peter like visiting with Peter's dad?"

A minute passed and Peter put Barney to his ear and then said to the judge, "He says we have fun."

"I see," said the judge. "And, Barney, what do you and Peter do when you're with Peter's dad?"

The same process was repeated with Peter taking Barney's mouth and placing it close to his ear in order to better hear Barney's message.

"He says we go swimming and biking. We go to the beach and to the movies; and once in a while we play Nintendo."

"Barney, do you and Peter like the food that Peter's father makes for you?" said the judge.

"Yeah," said the little boy after consulting with Barney. "Especially the Pancake House and McDonald's."

"Anything else you and Barney want to tell me?" said the judge.

The little boy shook his head no and sat quietly in his chair. The judge thought for a moment about any questions that might shed a little more light on the situation, but thinking of none, he said to the boy, "Well, before we say goodbye, Peter, how about you and me singing the Barney song together?"

"OK," said Peter.

"All right, then," said the judge. "Put Barney right up here on my desk, and come over here next to me, and we'll hold hands and sing it together, OK?"

"OK," said Peter. He walked over and stood next to the judge, who placed Barney on his desk. The three of them sang, "I love you, you love me, we're a happy family; with a great big hug and a kiss from me to you, won't you say you love me too?"

And with that, the judge gave Peter a hug and walked him and Barney to the door to the courtroom, where his big sister and nanny were waiting, and where the all too evident uncertainty of the boy's life mirrored the judge's own uncertainty about the real truths in the case.

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