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Celeb divorce highlights the downside of serial adoption

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Months before Monday's divorce filing by Angelina Jolie, tabloids reported that Jolie was considering adopting a seventh child to bolster her faltering marriage to Brad Pitt.

Now that they are officially divorcing, we can breathe a sigh of relief that that adoption never

took place. The couple has already taken serial adoption much further than the average family would be able to get away with: Jolie adopted Maddox from Cambodia in 2002, when he was only a few months old. She adopted Zahara in Ethiopia in 2005 when the girl was only six months old. Pitt adopted both Zahara and Maddox in 2006. Jolie adopted Pax from Vietnam in 2007. Because of local adoption laws, she adopted him as a single parent and Pitt adopted him as his son a year later. The couple has biological children as well: Shiloh, born in 2006, was Jolie and Pitt's first biological child. Knox and Vivienne, born in 2008, are Angelina and Brad's biological twins.

Unlike Brangelina, an average family with marital problems probably wouldn't be able to pass the home study that all adoptions require. The study - a narrative describing who you are and why you want to adopt - includes information gathered during interviews, medical information, fingerprint clearances, references, training and other related information. Angelina and Brad would be hard pressed to justify their desire to bring the seventh child into the family on the brink of a tumultuous time.

During such studies, which are done in domestic as well as international adoptions, state case workers investigate the family home life to see how the child would fit in. They visit the home and look at issues like reasons for adoption, daily life routines, and parenting experience. It is doubtful that a family on verge of a breakdown is capable of providing stability for the children who already would likely be suffering from issues such as loss and grief, identity development problems and low self-esteem.

The goal of home study is to assess whether the prospective adoptive parents have the ability to make a lifelong commitment to provide a nurturing home to the adopted child. During the process, a case worker will make regular visits to the home and interview all family members to determine the level of integration and adjustment of the adoptive child to the new family.

Often because of their wealth, status and connections, celebs seem to be able to circumvent these controls. While some parents spend years waiting for a child, stars like Pitt-Jolie, Madonna, Charlize Theron and Sandra Bullock seem to suddenly have children whenever they want, despite the hurdles put in place for the benefit of the prospective adoptive parents and the child to be adopted.

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Thursday, September 22, 2016

SPECIAL REPORT

Top 100



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Litigation

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In her petition, Angelina is asking for sole physical custody of the six children with Brad having visitation. She is, reportedly, conceding to have joint legal custody with Brad. "Legal custody" is the term that refers to the decision making authority by one parent or both parents jointly. "Physical custody" refers to the physical residence of the children as between the two parents. California law provides in part, in Family Code Section 3040(a), that "[c]ustody should be granted in the following order of preference according to the best interest of the child ... to both parents jointly or to either parent. In making an order granting custody to either parent, the court shall consider, among other factors, which parent is more likely to allow the child frequent and continuing contact with the noncustodial parent."

Media reports say Jolie is seeking sole physical custody because she was unhappy with Pitt's use of weed and alcohol and that he had anger issues. But you have to wonder: If he's such a bad dad, why were no red flags raised during adoption proceedings? Did the couple hide these deficits? Did they just crop up this summer? Or did the couple use their mega-celebrity status somehow to get around the normal checks and balances?

Media reports also say that Pitt and Jolie's other children were "thrilled" with the prospect of their parents bringing home another sibling over the age of 10. But having represented children as well, I must question how much do these children really understand and who did they express their feelings to? A family involved in its own turmoil should never be approved for adoption and should be recommended to not pursue one until the adults have resolved their own issues. It is extremely unfair and hurtful for a child to be placed with a family just to lose it again because that family has fallen apart.

So, at the moment, unless Angelina and Brad find a way to cohesively co-parent their six children, Los Angeles Family Court will have to fashion a workable custody and visitation schedule for these two parents.

No one really knows what happened between Angelina and Brad that caused this famous Hollywood couple called it quits. What we do know with certainty is that these six children will have a lot of heartache and sadness. Although the rumors about an ugly contentious custody battle have already surfaced, both Angelina and Brad seem to maintain that the well being of their six children is the actors' overriding concern.

Regardless of the public statements, reaching a meaningful custody and visitation schedule will not be all that easy given the number of children involved. Pursuant to California case precedent, unless one of the parent proves to the court that having all six children together under the same roof at the same time is somehow detrimental to one, few or all of them, the Court will not separate the siblings.

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SVP, General Counsel and Chief Compliance Officer
Del Monte Foods Inc. (Walnut Creek)

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Family

Celeb divorce highlights the downside of serial adoption

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Letter to the Editor



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