

My Lawyer Said I Didn't Do It



When I read the story of the little 18-month old who fell 11 decks to her death from a cruise ship, I was horrified. I chose not to have children so I couldn't even begin to imagine the loss felt by her parents. The initial reports said the baby was accidentally dropped by her grandfather as he held her by an open window. Early in the investigation, police said the grandfather told officers he lost his grip while holding the baby outside a window. Again, I cannot imagine the guilt felt by this man. A family trip of a lifetime turned into a nightmare.

I had no intention of writing anything about this tragedy. But within 24 hours, the child's name appeared in the papers and the family's attorney began his corrected version of what was initially reported by the family. "Essentially her grandfather lifts her up and puts her on a railing and where he thinks that there is glass there because it's clear, but it turns out there was no glass there. She goes to bang on the glass like she would have at one of those hockey rinks, and the next thing you know, she's gone," according to the lawyer.

It is now the family's legal position that the cruise company should've known better than to leave an 11th deck window open in a children's play area. Clearly, the deep pockets belonging to the cruise company are now the target in this scenario.

I've been on over 35 cruises totaling more than 500 days so I know what I'm talking about when it comes to cruise ships.

On the day of embarkation, everyone must attend a passenger safety drill at which time everyone is told NEVER to sit on the railings or place a child on that railing anywhere on the ship.

While the grandfather initially told police he held the baby outside the window, the lawyer now says he put the child on the railing. Common sense, as well as safety instructions, says you **never** sit or put a child on a railing.

No matter the weather conditions, calm or windy, anyone would be able to tell the window was open from either the breeze or heat coming from the open window. It's impossible not to feel the open air. Also, according to the picture of the window in one of the news reports, the window is tinted and easily distinguishable from the adjacent row of windows. What I'm saying is, it's impossible for anyone not to know the window was open.

Even if the window were open, there is no way an 18-month child would be able to climb up the wall and fall out on her own. She had to be lifted up and placed on the railing or held out the window – an incredibly stupid thing to do with a child and against every ounce of common sense – and the fault of the person lifting her up.

What was initially reported to the police is usually the most accurate because it was reported closest in time to the incident. Enter, the family lawyer who will now tell us what "really happened." An incredibly heart breaking accident

resulting in the death of a precious 18-month old, and, in most probability, caused by someone's irresponsibility, will now turn into the inevitable lawsuit. The family would not want me on their jury.

There was a time when everything was about personal responsibility. We succeeded or failed because of our own choices. Our failures weren't someone else's fault. We were not victims. Accidents were caused by our own inattentiveness and we owned up to them. We didn't blame someone else for our own carelessness. We didn't sue someone because our own clumsiness caused us injury. Things have changed.

I don't get it, but if you do, God bless you.

Abortion and Politics

✘ I read a recent article by Marcia Pally, author of *The New Evangelicals: Expanding the Vision of the Common Good*, in which she discussed abortion and politics. Although she opines that evangelical opposition to abortion is firm, the evangelical vote is not fixed and many evangelicals were happy with Democrat wins. Since the mid-term elections, she says that evangelicals "have been developing nuanced ideas about ending abortion that will appeal to Americans across the religious and political range" and quotes Shane Claiborne, who she describes as the Elvis of younger evangelicals, as saying, "if I am going to discourage abortion I had better be ready to adopt some babies and care for some mothers."

Ms. Pally goes on to state that because 73% of abortions are economically motivated, "abortion would drop significantly if medical, financial and emotional support were provided during pregnancy along with day care post-partum services." She

suggested that the abortion figures would drop further if changes were made in the adoption laws and “dealt with the values taught to our kids about the worth of others and of intimate relationships, and – especially for boys – about using others for one’s own pleasure.”

I agree with only a part of Ms. Pally’s position.

Yes, adoption laws should be changed to make it easier for people to adopt children in this country. Too many people remain on waiting lists (except if you’re a celebrity) for years to adopt children.

Yes, values should be taught to our children – but why haven’t they been taught all along. Are parents no longer teaching their girl children about self-respect and that it isn’t necessary to lie down with a guy on a Friday night because there’s nothing else to do?

My husband’s legal practice involves mostly inner-city families. He knows and sees dozens of 14-year old girls who believe it’s a badge of honor to be pregnant. Inter-generational out-of-wedlock children are commonplace. A client of his was 16-years old when she got pregnant, her mother was 16-years old when she had her, and her own daughter was 16-years old when she got pregnant for the first time. Obviously, many children aren’t being taught that their actions have consequences, and, apparently, those consequences are not a big deal. And what about the boy children? They’re clearly not being taught responsibility.

I don’t agree that every aspect of medical, financial and emotional support should be provided during someone’s pregnancy along with day care post-partum services – if that support is to be provided exclusively by the taxpayer. If you can’t afford to have a child, then you should take the necessary precautions to avoid getting pregnant in the first place. If, on the other hand, the support is provided by

churches or other faith-based or charitable organizations, I have no problem with it.

But, Ms. Pally goes on to quote Midwestern mega-church pastor Greg Boyd who said, "a person could vote for a candidate who is not 'pro-life' but who will help the economy and the poor." Sounds like code for spending a whole lot of money and more "cradle to grave" entitlement talk. Unfortunately, as I've written many times, the government is incapable of oversight and incompetent to determine who is truly needy.

No one seems to want to face the reality that it's a matter of personal responsibility and poor choices. Unless someone is raped or is pregnant due to the 1% of failed contraceptive use, no one has to have an unwanted pregnancy.

When I told my husband about this article, he immediately said, "Well, what about pregnancies that result when people are in the heat of passion?" Being a person who's never once had unprotected sex when I didn't want to get pregnant, this was difficult for me to understand but I conceded, "Okay, the first time someone has sex without protection, I'll give them a pass." But after that, if you continue to be sexually active, every guy should have a condom in his pocket and every girl should have or be on some type of birth control. No ands, ifs or buts. Period.

Why should society be required to fix the problem that's left after people's irresponsible behavior by then providing medical, financial and emotional support? Why isn't the guy providing financial support for the child and why isn't the family providing the necessary emotional support to the mother? Why is it society's responsibility to provide "day care post partum services?" Sounds like a whole new bureaucratic form of welfare.

As I said, except in very few cases, there doesn't have to be an unwanted pregnancy, thus no need for abortion. Focus

should be directed on the personal choices made by all sexually-active persons and not on finding politicians who are willing to spend more of the taxpayers' money on irresponsible people. Unwed motherhood should not be glamorized and men should be held accountable for their actions.

Bigger government is not the antidote for abortion; personal responsibility in avoiding an unwanted pregnancy is.

I don't get it, but if you do, God bless you.

Helicopter Parents are Hovering

☒ “They're called ‘helicopter parents,’” my niece said. I don't know how this slipped by me, but I had no idea there was an actual name for parents who overparent and refuse to let their children take responsibility for their wrongdoing or impose any consequences of their children for their own actions. In other words, these are parents who want to eliminate any and all obstacles their children face.

While visiting with my family over the holidays, one of my nieces, who is a math teacher in a Catholic high school, told me a story about a recent incident she had with one of her students.

While giving her class a test, she noticed one of the boys looking behind at another student's answer sheet and then changing his own answers. The second time he did it, he looked up and saw my niece looking at him and, at that point, she just shook her head. Immediately after the test was collected and all the other students left the classroom, she

said to this boy, "what do you have to say about this?" He said, "I deserve a zero; I regret it."

About twenty minutes later, she received an email from him which said he didn't cheat. Later that night, he emailed again and said he couldn't understand why she didn't notice others cheating. (I guess that makes his cheating alright.) That same night, his mother emailed her and said she wanted a meeting with my niece and brought up the fact that her son had anxiety disorder for which he was medicated.

At the meeting which lasted 80 minutes (!), and included my niece, the student, his parents, and the assistant principal, it was discussed that neither my niece nor the school was aware (which is a school requirement) that this kid had been diagnosed with anxiety disorder or that he was on any medication because the parents did not want their son to be labeled as such.

The mother took her son's side and said, even though she wasn't there, he was looking around the room to see how other kids were progressing with the test. The student said at the meeting that he was being sarcastic when he told my niece "I deserve a zero; I regret it." According to my niece, his statement never came across as being sarcastic.

To top it all, the mother then blamed my niece for not having multiple versions of the test! My niece, who used to teach in a low-scoring, high poverty inner city school, told the mother cheating was never an issue in her previous high school, and the mother accused her of being "naïve."

I never cheated once all through Catholic grammar school, public high school, college and law school. Not once. I may have been paddled and slapped around by the nuns in grammar school for talking too much and one of my English teachers in high school threw a book which landed on my desk to get my attention, but it never dawned on me to cheat. My sister-in-

law and my husband, who were also part of the conversation with my niece, both agreed that our parents would never have allowed us to get away with this type of behavior.

While talking with an acquaintance, helicopter parents are not in short supply where I live. Rather than face threatened lawsuits by parents, the local high school's policy of "get a DUI, get suspended" isn't enforced.

It's a very sad state of affairs when children aren't taught right from wrong or that when they do something that's inappropriate, they should own up to it. What are these kids going to do when their parents are no longer around to clean up their messes? What kind of lesson does a child learn when someone is there to bail them out of trouble and they never have to suffer the consequences for their bad choices?

I can't imagine how this type of behavior does children any good. Since the talk with my niece, I heard about a college student who told a recruiter after he was hired that "my father wants to speak with you." Sounds like these parents are producing an entire generation of weak, immature, irresponsible spoiled men and women. I know I wouldn't hire anyone like this. Would you?

I don't get it, but if you do, God bless you.

My Genes Made Me Do It!

✘ Not a day goes by that I don't read an article which floors me. One of the most recent is an article entitled "Infidelity and 12 Other Things We Blame on our Genes." I said to myself, "This is a joke, right?" Not!

The article goes on and describes various behaviors and syndromes which are somehow attributed to our genes: infidelity, overeating, overspending, smoking, bad driving, inability to remember faces, poor sense of direction, shrewishness, stuttering, laziness, bullying, carpal tunnel syndrome and the dislike of spinach and broccoli.

I'm obviously not a doctor so I'm not going to question legitimate studies about medical or physiological problems which may be genetic. What I'm not getting are the behaviors we can now excuse because of our "genes." When did "free will" disappear?

As usual, I'm wondering how many of these studies are funded with our tax dollars thanks to my favorite government agency, the National Institutes of Health. Who's paying for this nonsense?

These type of studies do nothing but allow people who behave badly to choose to escape personal responsibility and provide them with a new set of excuses instead of forcing people to own up to their actions. There are enough excuses floating around these days to justify people's behavior. The devil made me do it, my mother didn't breast feed me, my father didn't hug me, I only ate fast food, I didn't get a puppy for Christmas, I was bullied in school, my father sold my bicycle when I went to summer camp, I'm the youngest, I'm the oldest, I'm the middle child, I have brown eyes, I have blue eyes, and on and on and on. Stop whining already. It's boring. We don't need more excuses; we need people to take personal responsibility.

In the area of law in which I've practiced over the past twenty years, child abuse and neglect, I've heard every excuse in the book to explain an adult's malevolent actions against a child. So the fact that someone can't control their anger is not his or her fault, it's because of how they were raised? Well, at some point, the vicious cycle has to stop and the

adult has to face up to his own shortcomings and failures as a parent.

So, let's take a look at some of these so-called genetic problems facing people today.

When your wife catches you with a hot babe, it isn't because you have a busted moral compass. You can now blame it on your "I can't keep it in my pants" gene.

Or the reason you're seducing someone else's husband who's got lots of money isn't because you're an amoral whore, it's probably because you've got the "I'm-allergic-to-men-who-work-at-Jiffy-Lube" gene.

Or if you're like the woman I know who has two "under-the-table" jobs but is still fraudulently collecting unemployment benefits, you're not stealing and receiving welfare, it's because you've got the "I'm-entitled-to-take-free-money-from-the-taxpayers-and-get-what-I-can-from-the-government-dole" gene.

When someone is 26 years old and living in his mother's basement and playing video games 20 hours a day while sitting in a puddle of his own urine, it isn't because he's just a loser, it's because he's got the "I-think-I'll-blame-the-video-game-designer-for-my-addiction" gene.

When I see morons in Los Angeles who after drinking all day decide to destroy property throughout the city to "celebrate" a championship win, I should re-think this and say, these people aren't idiots they must suffer from the "I-Love-the-Lakers" gene.

The fact that someone maxes out their credit cards isn't because they're out of control in their spending habits, it's probably because they have the "money-challenged" gene or "I-love-spending-money-I-don't-have Syndrome."

If you're frustrated with other people's driving, not to worry. You're no doubt suffering because of the "I'm-usually-in-a-hurry-because-I-haven't-allocated-my-time-properly" gene. You can't help yourself.

On the other hand, maybe it does all have to do with genes and not personal behavior.

Maybe the guy who doesn't act the fool this month actually has the "I-love-my-wife-and-I'm-not-going-to-risk-losing-her-by-going-for-a-quickie-at-the-office-Christmas-party" gene.

And maybe the gal who's an alcoholic isn't drinking because of her own free will but because part of her DNA makeup contains the "I'm-a-member-of-AA-for-the-past-ten-years-and-don't-make-excuses-for-being-an-alcoholic" gene.

And does the guy in the wheelchair at our nearby Walmart work because, despite his overwhelming disabilities, he wants to be a productive member of society or does he really suffer with "I-choose-to-work-in-spite-of-my-illness-because-I'm-not-a-victim Syndrome?"

We know the difference between right and wrong but we all make mistakes. We're not perfect. We're all human. We all, at some point, behave in ways we afterwards regret. But most of us deal with it and don't make excuses for our failings.

Sure, it's easier to blame someone or anything else for one's foibles. It's easy not to have a game plan in life because that requires awareness. Having options and making choices requires personal responsibility. For some, it's easier to blame outside causes – the nuns, astrological signs, tarot readings, the weather – or just about anything else rather than take control over their own lives and circumstances. I expect that type of rationale from children. Studies like those mentioned in the article just give people additional crutches in order to escape their accountability rather than a good swift kick in the pants followed by someone saying, "grow

up!”

I don't get it, but if you do, God bless you.