Samantha Jones trial outline

1. Intro
	1. Age
	2. Education
	3. Living situation
	4. PTSD
		1. When diagnosed
		2. What caused it
		3. How does she address it
	5. Job
	6. Work requirements
	7. I love to travel, camp, hike and be outdoors with the girls
	8. I love volunteering in the classroom or at the school with my children so I can see what they do day to day and have extra bonding time with them and their friends
	9. I love being a mom to Nancy and Lucy and watching them learn and grow
	10. Not dating
	11. Why did she break up with Michael
		1. Did you allow your children to reach out to Michael after the break up?
	12. Why did she file this case
		1. Difficulties co-parenting
		2. Gaslighting
		3. Filed it three days before the September 11, 2020 incident where Nancy called her mother in a panic
		4. She was already concerned about children being left at Donald’s home alone
		5. She was already concerned about Donald not providing her his real address
		6. Even at that point, he’s only supplied an incomplete address for Ladson despite three requests—Plaintiff’s exhibit 55
2. Inaccuracies in Donald’s testimony
	1. You do not regularly discuss children’s issues orally
		1. Unable to even exchange pleasantries
	2. Did Lucy ever discuss the allegedly runaway cats after the fire
3. RTSC October 21-22, 2022
	1. Between August 10 and October 21-22, 2022, she was not informed of an address change
	2. Donald was apparently using multiple addresses at that time
	3. The address in the August 10th email was the one she was provided notice of
	4. Donald let her know where the girls would be staying the night before and the night after October 21, 2022
	5. When asked about the girls whereabouts that night he was evasive
	6. He’d already been found in contempt previously on that issue
	7. He’d already been found to be evasive on the girl’s whereabouts previously
	8. She’d like a finding of contempt
	9. She would ask the court to consider his contempt in its custody determination
4. Gaslighting
	1. Has she considered herself a victim of gaslighting from Donald
	2. Donald denies he ever gaslights her
	3. Is that a form of gaslighting
	4. On May 18, 2020, he writes Samantha acknowledging that Lucy is being bullied in school **Plaintiff’s 6; Plaintiff’s 25**
		* 1. Explain what happened to Lucy?
			2. Were you drinking with friends
			3. How did Donald learn about this?
			4. How did she feel about Donald’s writing in these exhibits?
	5. The guidance counselor at school raised safety concerns again about Lucy being bullied
		* + 1. **Plaintiff’s 7**
				2. What was this about?
				3. How did you feel about Donald’s writing in this email
	6. Counseling
		* 1. Why did you decide to use Ella Miller
			2. Was her counseling effective?
			3. How many sessions did Donald attend? **Plaintiff’s exhibit 89**
			4. Why did the counseling end? **Plaintiff’s exhibit 95**
			5. He could not make himself available for counseling for over three months when she tried to set up a new counselor **Plaintiff’s exhibit 96**
			6. He gave different reason for why he could not attend Nancy’s first appointment with her new counselor **Plaintiff’s Exhibit 41**
	7. **Plaintiff’s exhibits 8, 9, 10, 11, 12, 23, 39, 40, 60**
		1. With each of those emails, what was going on
		2. How did they make you feel
		3. Has Mr. Smith every apologized for any of these communications
	8. Bras and underwear
		1. **Exhibits 13, 33, 34, 35**
		2. How do you feel about his safety and hygiene comments
		3. How did you feel about Donald getting the girls bras without discussing it with you first
		4. How did you feel about Donald putting underwear on your girls
		5. Did you learn anything new from Donald’s testimony on underwear?
			1. What is your reaction
	9. Not reading emails **Plaintiff’s exhibit 43**
	10. Appointments
		1. **Plaintiff’s exhibit 14—is it accurate**
	11. Covid
		1. Did you know your daughters were sick before the Christmas 2021 exchange?
		2. How do you wish Mr. Smith have handled the Christmas 2021 transition?
	12. Nancy haircut—**Plaintiff’s exhibit 17**
		1. Have you ever chopped Lucy’s hair off
		2. Each time the children had head lice, who found it first
		3. Do you purchase clothes for the girls
		4. Do you purchase accessories for the girls
		5. How does these accusations make you feel
	13. Decision making
		1. **Plaintiff’s exhibit 18, 19, 20, 21**
		2. **Plaintiff’s 18** Can she determine why a calm email string becomes highly critical?
		3. How receptive were you to his demands to change custody
	14. Tutoring **Plaintiff’s 22, 24, 37**
		1. How do these emails make you feel
		2. What was the issue with tutoring
		3. Does the fact that she wasn’t courtesy copied on **Plaintiff’s 22** give her concerns?
		4. How did she feel about **Plaintiff’s 24** being courtesy copied to the school
		5. Why did she oppose sylvan
	15. Nancy’s reading
		1. What your intent in sending Donald **Plaintiff’s exhibit 57**
		2. You courtesy copied Donald information from the school regarding summer reading **Plaintiff’s 58**
			1. Why did you do that?
			2. How would you have wanted Donald to act on this?
			3. How did Donald act on this?
		3. You forwarded Donald information from the school regarding summer reading **Plaintiff’s 62**
			1. Why did you do that?
			2. How would you have wanted Donald to act on this?
			3. How did Donald act on this?
			4. How would you have wanted Donald to act based on **Plaintiff’s exhibit 59**
			5. How did Donald act on this?
			6. There was a summer reading calendar **Plaintiff’s exhibit 63**
				1. Was this calendar sent to Donald
			7. Why did you send Donald **Plaintiff’s exhibit 66**
			8. What problems do you perceive with **Plaintiff’s exhibit 67 and 68**
		4. Sharing information with Donald
			1. What is **Plaintiff’s exhibit 77?**
			2. What is **Plaintiff’s exhibit 78?**
			3. What is **Plaintiff’s exhibit 79?**
			4. What is **Plaintiff’s exhibit 80?**
			5. What is **Plaintiff’s exhibit 81?**
			6. What is **Plaintiff’s exhibit 82?**
			7. What is **Plaintiff’s exhibit 83?**
			8. What is **Plaintiff’s exhibit 84?**
5. Children’s education
	1. Historical figure February 2022
		1. What problems are you trying to address in **Plaintiff’s exhibits 70 and 71**
			1. Is Donald’s response helping?
		2. Valentine’s day **Plaintiff’s exhibit 72**
			1. Does she recall how Lucy felt when she arrived home that day?
		3. Red folders
			1. Was it a problem when you daughters didn’t have their red folders
			2. How did they respond to being without their folders for two weeks
			3. Why do you believe the red folders were found at Donald’s home **Plaintiff’s exhibit 73**
				1. In your experience would Donald have not responded to your belief the folders were missing at his house for two weeks if they were at Kaleidoscope
	2. Trying to support Donald’s relationships
		1. Why did she message about Donuts of Grownups **Plaintiff’s exhibit 74**
		2. Why did she forward Donald **Plaintiff’s exhibit 75**
6. Undermining Ms. Jones’s parenting
	1. How do the kids react to Donald discussing their potential to be kidnapped in Mexico?
	2. How did the kids react to Donald’s miss practice/can’t play policy
	3. Did it negatively effect June 2020 vacation?
	4. Cancelling Kaleidoscope for summer 2020
		1. Were you interested in Kaleidoscope for summer 2019 and 2020
		2. How did Donald’s cancellation in 2020 affect you?
		3. What is the concern you have in **Plaintiff’s 32**
			1. Why
	5. At last week’s counseling session what did Donald tell the counselor he intended to do if he lost time with the children?
	6. Issues with getting the girls to call during Donald’s time
		1. Under final order allowed every other day
		2. **Plaintiff’s exhibit 76, 86, 87, 88, 90, 91, 92, 93, 94**
		3. Does she regularly have the kids call Donald **Plaintiff’s exhibit 85**
7. Lauryn **Plaintiff’s exhibits 31 and 36**
	1. How would you have hoped Donald handle this?
8. How would you have liked Donald to handle the house fire issue
9. How would you have liked Donald to handle his marriage issue
10. Children left home alone
	1. **Plaintiff’s exhibit 44, 46**
	2. September 11, 2020
	3. He worked May 8, May 15, May 22, May 29, June 5, June 19, June 22, June 26, July 10, July 17, July 20, July 22, July 31, August 1, and August 10, 2020. **Plaintiff’s exhibit 45**
		1. These were all days he had the girls
		2. How old were they at the time
		3. He was often working for hours
11. Address issues in spring/summer 2020 **Plaintiff’s 47, 50, 51**
	1. Why were you concerned about where Donald was keeping the girls
	2. Do you actually believe Donald when he says the girls aren’t alone for more than five minutes?
		1. Why not?
12. What is good about Donald’s parenting/relationship with the girls
	1. I am so thankful that the girls have a father that is present and in their lives.
	2. Donald is a really fun dad. He loves to take the girls on trips and vacations. Just this Christmas break he took his wife, stepdaughter and the girls on holiday to a hotel in Myrtle Beach with not one, but two indoor water parks for a week! The girls were glowing from that experience for weeks afterward. They still talk about the water slide attendant that made jokes and how they hope he will be there next time they go.
	3. It is also great that he has coached them in sports. Although it has caused contention between the two of you, Nancy really liked being able to tell her friends that her dad was the coach of her softball team.
	4. Another really amazing thing is that he is so close to his family- the girls are so lucky to have such a loving grandma, aunts and cousins. They had and continue to have a difficult time with the passing of their grandfather because they were so close to him.
	5. Donald has always loved taking the girls to the father/daughter or daddy daughter dances at the school. It is so much fun for me to be able to get the girls dressed up, since especially Lucy loves to dress up in fancy dresses and high heels, and have their dad take them to these dances. I remember the first time that it happened and the pure look of excitement on the girls’ faces was priceless. It is still one of my favorite pictures.
	6. Another really cool bonding experience that I remember even from when they were really little was that he would paint their fingernails for them. From a young age I remember encouraging him to do it and since the first time, it really because something that was “theirs” I would purposefully not paint their nails because they would go visit with dad and come home with painted nails. The girls love having their nails painted to this day and love it even more when it is something that their dad does to them or they do to their dad.
	7. The girls really love their dad and I know that he really loves them.
13. She tries to keep Donald informed
	1. **Plaintiff’s exhibit 26, 27**
		1. What activity were you trying to get Donald involved in
		2. How were your efforts rewarded
14. Extracurriculars
	1. What have been the problems with Donald being allowed to pick one extracurricular activity for each child
15. Coparenting will not work
	1. Does she take any blame for difficulties in co-parenting
		1. Her struggles with anxiety can cause her to overwhelm folks with a lot of information at once and it may have been hard for Donald to deal with
		2. She is working on her anxiety with a counselor
	2. I see three basic requirements for successful coparenting: effective communication, respect, cooperation.
	3. Effective communication: where there should be effective communication there is gaslighting and deceit.
	4. Respect: where there should be respect there is undermining and constant criticism
	5. Cooperation: where there should be cooperation there is antagonizing and hostile exchanges
16. Goals
	1. Sole Custody and requiring her to inform but not consult with Donald before making all major decisions
		1. The recent situation is the best it’s been and it’s still not working
		2. Seen four co-parenting counselors without having any forward progression in resolving the current issues
		3. Written interactions with Donald prevent the ability to make timely decisions on things that affect the children, specifically education and mental health
	2. Reducing the Defendant’s visitation time;
		1. The purpose of changing weekday visitation is to provide continuity and educational support to the children.
		2. Change school year visitation to Friday 6pm to 6pm the day before school resumes every other weekend
			1. Why not Friday pickup from school?
				1. Lunchbox
				2. Red folder
		3. Summer vacation would be 2 weeks on/ 2 weeks off with mom getting the children back the Sunday before school starts to prepare them for school to begin.
		4. Changing extra curriculars to be one thing per child chosen by mom
		5. End all holiday visitation except for Christmas, Spring Break, Thanksgiving, Mother’s day and Father’s day and Halloween which can be divided equally
		6. Why does she want alternate rather than split Thanksgiving?
		7. Why does she want to do away with other holidays?
	3. What would you be willing to offer in visitation if allowed to relocate to Alabama
		1. He could choose 1 weekend a month on months he doesn’t already have visitation to come up to Alabama at his expense to see the children. Dates would need to be chosen at least 60 days in advance.
		2. He can have them every spring break
		3. Continue to alternate weeks of Christmas and alternate Thanksgiving break
		4. Summer time would be three weeks at his house in Charleston. 1 week with Mom and she would handle all transportation for that. Dad gets the children until the third Sunday before school resumes.
		5. She would be willing to forgo child support due to his increased travel responsibilities and expenses
	4. Why the move to Alabama would be in your daughters’ best interests
		1. Their exposure to your conflict cannot be healthy for them
		2. Distance would reduce the conflict
		3. Donald having more time in summer and less during school year would better enable her daughters to enjoy what’s best in Donald’s parenting
		4. The children would live 45 minutes from there maternal grandparents allowing for more contact and family support.
		5. It would be an overall better quality of life due to cost of living and commute times
		6. For a federal employee the upward career mobility is exponential due to the almost 80 federal agencies in the Huntsville area.
	5. Restraining the Defendant from leaving the minor children unsupervised;
		1. To protect the safety of the children.
		2. Until the children reach the age of 12 years old.
	6. Requiring the Defendant to provide her, in writing, the address where the minor children will be when they are in his care but will not be at his residence overnight;
		1. The Defendant has left the children with thirds parties and alone. Knowing where the children are overnighting is for their safety.
	7. Authorizing the Plaintiff to provide the minor children with electronic means to contact her when they are in the Defendant’s care and restraining the Defendant from preventing such contact;
		1. Ensures that the children have the opportunity for direct communication when needed
	8. Authorizing her to obtain a passport for the minor children;
		1. To be able to travel internationally with plaintiff.
		2. Keep language from July 8, 2021 temporary order
	9. Requiring the Defendant to pay her attorney’s fees and costs for prosecuting this action
		1. Sold a paid off truck and purchased a vehicle with payments to get cash
		2. Sold her paid off RV
		3. Sold her second car (a Fiat 500)
		4. Used all her savings
		5. Her parents gave her money, including the $20,000 trial retainer and Maria’s $7,500 trial retainer
	10. PI fees
		1. What was the total? **Exhibit 42**
			1. Remind judge that one of Minter’s exhibits has the bill
	11. Counselor Fees
		1. What was the total?
17. Redirect
	1. Why didn’t you want Mr. Smith to have passwords for the Gizmo watch app
		1. Did the guardian ever recommend Mr. Smith have access to the Gizmo app?
	2. Was Mr. Smith questioned about his child support arrearage at his December 2022 deposition? **Deposition p. 89, line 24**
	3. When did she provide OFW Donald’s contact information?
	4. Has anyone made an issue of the suitability of her residence in this case?
	5. **Make sure all exhibits in evidence**