

Advocating for parental rights

by Mikayla in Arizona

My story is one of parental rights and mental disability. I wasn't diagnosed until I was 30 with major depression. Eleven years later, I was diagnosed with borderline personality disorder. I was very high functioning and worked as a corporate travel agent for 22 years. I was also attending college earning A's.

I had obtained my certificate as a registered medical assistant when my depression started to invade my life. At times the pain that I felt became unbearable and I started cutting myself. I was seven months into recovery when my world changed drastically. My husband, daughter, who we adopted from Mexico and has bipolar disorder, and I were on vacation. My husband left a day early to go back to work. My daughter rearranged everything in the cabin and in the process lost my medication. Since we only had one more night I took some of her medication.

The next day is a complete mystery to me. According to my daughter, at one point, I slapped her across the face. The owner to the cabins called the police. I ended up in jail and my daughter went to foster care. My husband came and picked us up, but the case did not end there. Child Protective Services (CPS) came to visit. The caseworker said that we had to complete family services, but that it was voluntary and that we could quit at any time. After about 5-6 visits, we decided to quit because our daughter was becoming very depressed. She just wanted to put the whole thing behind us.

CPS then came and took my daughter from school. After searching for an attorney or an advocacy group that could help us, I became overwhelmed with feelings of helplessness and hopelessness. It was then that I cut myself on the chest - accidentally puncturing my lung. I spent nine days in the hospital. In the end, I was petitioned to go to a psychiatric hospital. It was so bad that I currently have a lawsuit in progress. After that weekend of hell, I was transferred to another psychiatric hospital for another nine days. When I finally got out all I wanted to do was get my daughter back.

Since the case was clearly not about slapping my daughter on the face, I realized that this case was more about the fact that I had a mental illness. I had no history of ever hurting my children. I was a very responsible and caring mother, but now I couldn't have my child back because she was in "imminent danger." But, I was not going down without a fight.

Our public defenders wanted to throw us to the lions, or at least me. My attorney told me to stop calling and writing people because it was beginning to make me look more "insane." My husband's attorney told him to divorce me or put me in a psychiatric facility. By the end of three months, we got our daughter back.

I was clearly upset by the fact that people living with mental illnesses had no help in Arizona to help navigate this cruel system. By December of 2005, I opened my own advocacy organization called FAIR, or Family Advocacy In Reunification. I also found out that Arizona is one of eight states that still uses mental disability as a reason to sever parental rights.

CPS continued to plague my life. They would tell my clients of my past case and the fact that I had a mental illness, which was no surprise to them. But CPS made their lives more difficult because I was advocating for them. Even though my case had been

unsubstantiated and dismissed they were still making my life difficult. I almost lost my daughter because of mental illness and now I couldn't advocate for people with mental illness because I have a mental illness?

After one year of being in service, I closed my doors. However, I have not given up on my passion to change state law so that others like me will not be judged by their diagnosis. There is so much stigma surrounding mental illnesses. Unfortunately most people relate mental illness to the images that they see on TV and at the movies. Mental illness is not like that at all. People that have mental illnesses do not actively go out and try to get one - we were "winners" of the gene biology or chemical lottery. We struggle everyday with the demons that plague us. So, why should we be punished for something that we had no choice in? I have always been compliant with my medication and therapy. I do it because it makes me feel better and it makes life enjoyable for my family. I know that mental illnesses are very stigmatizing, but it's time that those of us who have a mental illness unite and start asking for change from our legislators. Do not be ashamed because you have a disease. People suffering from cancer or any one of a number of other diseases would not be ashamed to ask for their right to parent. Why should we?