

PSYCHOPHARMACOLOGY AND PSYCHOTHERAPY FRANK N. STEIN, M.D.
Diplomate American Board of Psychiatry

re: 61.20 Social Investigation
Battle v. Battle
Date submitted: March 31, 2014
submitted to both counsel for the parties

61.20 SOCIAL INVESTIGATION

INTRODUCTION:

This case was referred to me as the result of a court ordered stipulation between both the Mother, Brenda Battle, and the Husband, Basel Battle. I am an independent, neutral expert, retained for the purposes of performing a 61.20, Fla. Stat. Social investigation and recommending a parenting plan.

INVESTIGATION MATERIALS:

The social investigation consisted of clinical interviews with Mr. Battle, Mrs. Battle, both minor children (Edward and Jason), Mr. Arthur Baxter, and interviews conducted with the children's teachers at the school. I also interviewed the parties in the presence of the children, and the children in the presence of the parties, at their respective homes.

BACKGROUND INFORMATION:

The parties separated in May of 2012. The children have been living with Mr. Battle since that time as the result of a separation agreement entered into between the parties in the fall of 2012. Mr. Battle is a teacher and a football coach at the local high school. Mrs. Battle is a sales manager at a local plastics company. The parties are in a disagreement over a parenting plan, with both parties at the time of interview seeking a designation of primary parent for purposes of the access and contact.

RECORD REVIEW:

I reviewed the proposed parenting plans provided by both parties.

CLINICAL INTERVIEWS:

As the result of clinical interviews I determined that Mrs. Battle voluntarily left the home because she felt it best for the family. She reports emotional abuse by Mr. Battle when she is present with the children.

Edward, who is a small, tender child of 5, has a learning

disability, which is a hearing disability. He requires special training and classes.

Jason is a 12 year old but presents as immature for his age and is very distraught over these proceedings. He is Mrs. Battle's son from a prior marriage, however, was adopted early on by Mr. Battle.

Mrs. Battle has a wonderful boyfriend named Bert. Mr. Battle is engaged to Mrs. Winnie Canyon.

Mr. Arthur Baxter is a very nice man, who was happy to meet with me and testify on behalf of Mrs. Battle.

MENTAL STATUS EXAMS:

There was no mental status exam done on either party, no MMPI, and no Millon Clinical Multiaxial Inventory. I did do a mood disorder questionnaire of both parties. Mrs. Battle reported and acknowledged many shouting matches with Mr. Battle, which are always instigated by Mr. Battle when he is using alcohol. She reported mood swings when she argues with Mr. Battle. She reports many arguments over the access and contact plan and reports credibly that Mr. Battle is keeping the children from her.

Mr. Battle acknowledged only a minor problem with anger and did not report any incidents of shouting with Mrs. Battle. He reports that his Wife has a short temper regarding Edward's disability and that she withdraws when Edward is having trouble. He reports that Mrs. Battle has failed to initiate much contact with the children during the last eighteen months.

RECOMMENDATIONS:

I am concerned about the fact that the boys are not seeing their mother. Especially given the young, tender age of Edward, I am recommending a parenting/access and contact plan for Edward designating Mrs. Battle as the primary parent, with Mr. Battle having alternating weekends from Friday night to Monday morning with one midweek overnight. However, there should be a transition time, and Edward should first begin spending one overnight per week with his Mother for four weeks, then two overnights per week for four weeks, and then transition into the alternating weekends with Mr. Battle. After six months, add an additional overnight for Mr. Battle on the "off" weeks.

For Jason, I recommend an alternating, rotating, one week on and one week off between Mother and Dad. He will not need a transition period, as he is 12 and children this age accommodate well to a rotating access and contact plan.

I have prepared a proposed parenting plan and have supplied it to both parties.

I further suggest a mediation before litigation clause in the court's final judgment to encourage the parties to attempt to solve their problems in a collaborative fashion prior to any further litigation, which I believe to be traumatic for the parties and the children.

Frank N. Stein, M.D.