

January 5, 2016

408 Valhalla Drive
Columbia, SC 29229

Representative Beth Bernstein
434C Blatt Building
Columbia, SC 29201

Dear Ms. Bernstein:

The purpose of this correspondence is to bring to your attention the abuse of power by the Richland County Family Court in regard to my son, Aaron Tyler's child custody/visitation case that has been ongoing since 2012. In addition, we seek intervention for a stay of my son's possible incarceration for non-payment of unjust court fees, request expungement of the exorbitant/unjust court fees and request a refund of the extreme fees paid to the court. Although he lost his custody case and was not granted visitation, the Court has levied exorbitant fees that are cruel and unusual. Initially, Aaron became a pro se litigant because the attorney we hired asked the court to relieve him from representing Aaron. The relief, a mutual agreement, was granted. We, the parents, paid the attorney **\$5500**. Only **\$300** of that fee was refunded. Due to this financial loss, Aaron was forced to represent himself as a pro se litigant. Court documents state that Aaron was intellectually capable of self-representation. As a result of self-representation, he was financially "slaughtered" by the Court. If the court allows self-representation, where are the checks and balances to ensure that pro se litigants are afforded the same level of justice that represented clients receive when their attorney is ethical?

Aaron was not been gainfully employed throughout the duration of the custody trial and subsequent hearings. The court was fully aware of his unemployment status, yet the court ordered and continues to order the payment of fees that are impossible for him to pay.

Listed below are the fees levied by the court under the auspices of the following judges: Dorothy Mobly Jones, Robert S. Armstrong, Gerald S. Smoak.

\$10,000. This is the fee granted to the opposing attorney because Aaron lost the child custody case. I believe it is the position of court to award attorney's fees when a client loses his case. However, is it not abuse of power to order fees far beyond one's ability to pay? Who is required to pay **\$10,000** in attorney's fees when they have no ability to pay them? Aaron was held in contempt of court because he was not able to pay **\$10,000** in lawyer fees. The intent of the court was simply to incarcerate. The court does not care about families! It simply wants to punish. Consequently, during his contempt hearing on October 28, 2015, Aaron was shackled and handcuffed. Was it necessary to treat him this way? To avoid three months of incarceration, we Aaron's parents were forced to pay **\$10,000** immediately while in court.

We were forced to hire an attorney in an attempt get some relief from our dire financial situation. The retainer fee was **\$2000**. The attorney filed for a hearing to address this issue but never brought this issue before the court. Although her filing was timely, she failed to present our case for relief before the court. Consequently, the filing lay dormant in my Aaron's case file. The Richland County Family Court allows attorneys to subject their clients to legal servitude without reprimand. Clients are punished with jail time when they do not comply with unfair orders but attorneys, though unethical, are permitted to continue to abuse their clients. It is my belief that the attorney we hired was working against us. The first lawyer did work against us. There is proof in the court transcript. Our attorney did not represent our interest. She refunded only **\$500** of the **\$2000** retainer when she was relieved of representation.

\$1500. This is the attorney fee ordered by the judge to pay the opposing attorney when the judge dismissed our case for visitation on October 28, 2015.

\$1000. This is the fee for the contempt hearing for failure to pay the **\$10,000** lawyer fees prior to the contempt hearing on October 28, 2015.

\$621. This is the fee for child support that was levied. The court knew Aaron could not pay this amount in child support. In addition, the child support was increased as punishment it being significantly in arrears. The current child support is over **\$700** per month.

My son filed for a hearing to request that his child support be reduced because financially he cannot pay the fees. **He is being required to pay child support for a child that he nor the child's grandparents have seen since December 24, 2012.** Is this fair in any way? We do not know whether or not the child is alive and well. How cruel is this court behavior? The state of South Carolina has provided a means for parents to request a reduction in child support. The paperwork was filed. The **\$150** fee was paid. The Court has denied the request. In addition, Aaron has not been afforded the opportunity to have a paternity test. He does not know if the child belongs to him because the child was conceived out of wedlock.

At the end of January and February, 2016, if there is no relief, he again will be held in contempt of court for failure to pay unaffordable court fees and child support. He will be placed in jail for an extended period of time. He has become a "financial slave." He is a victim of "legal extortion." Like many black families in South Carolina and across the nation, we are experiencing a resurgence of racism. When facing cold, harsh, unrelenting judges and seasoned, vindictive attorneys, there is no justice. The judges and attorneys punish those at their mercy. I am convinced beyond a reasonable doubt that my family is a victim of injustice by the Richland County Family Court.

I am deeply saddened that the Family Court "financially rapes" families. The court shackles and chains both literally and figuratively while wielding power over subservient individuals. Getting justice in the Richland County Family Court is impossible. The court is a dictatorial entity that strangles families financially.

We, the Tyler family respectfully request that you investigate these financial trappings and offer us avenues of relief from our dire circumstances. Please help us seek relief from these exorbitant fees levied by the Richland County Family Court.

Richland County Case Numbers: 13-0239 14-4886

Sincerely,

A handwritten signature in black ink that reads "Willie Tyler". The signature is written in a cursive, flowing style.

Willie Tyler

A handwritten signature in black ink that reads "Maxine Tyler". The signature is written in a cursive, flowing style.

Maxine Tyler

CC: The Honorable Nikki R. Haley

Senator Lindsay Graham

Senator Tim Scott

Representative Joe Wilson

Senator Joel Lourie

American Civil Liberties Union