

Gordon Stadnyck
P.O. Box 100157
Denver, Colorado 80250-0157

August 9, 2005

Mr. Paul E. Burczyk
State Board of Psychologist Examiners
1560 Broadway, Suite 880
Denver, CO 80202-994793

RE: Inquiry Concerning Judith R. Silver, Psy.D.
Case #2005-004793

Dear Mr. Burczyk:

I am in receipt of your correspondence dated July 26, 2005 regarding Dr. Silver's response. Thank you (again) for affording me the opportunity to provide a reply –this time to Dr. Silver's response. I apologize for the voluminous content herein contained. We are attempting to consolidate five years worth of transactions.

At the outset, I point out that Dr. Silver's response was divided into two parts: (1) The first part (hereinafter "part I") consisted of cheap-shot, scurrilous and unfounded allegations of me; and (2) the second part (hereinafter "part II") contained her answer to the allegations material to the instant matter –**in that order**. Apparently, Dr. Silver has lost sight of the fact that I have not been summoned to the Board to account for my actions; she has. I am not the Respondent in these administrative proceedings; she is.

In general, administrative agencies may look to the Colorado Rules of Civil Procedure for guidance. (*see* C.R.C.P. § 81). Colorado Rules of Evidence § 404 concerns the use of "other acts" evidence, such as the purported evidence that Dr. Silver has attempted to introduce in part I of her response. 404(a) sets forth that such evidence must be excluded when the purpose for introducing such evidence is to disparage character, impeach credibility or attempt to establish a tendency on the part of an individual. 404(b) sets forth that such evidence may be admitted if the prejudicial affect (on the jury) is outweighed by the probative value of that evidence **and** if the evidence is introduced to establish motive, intent, plan, preparation, identity or lack of mistake or inadvertence. At its core, C.R.E. § 404 is intended to cause the jury to decide a case based on the facts before it and not to be persuaded as to the guilt or innocence of an individual based on things that occurred in the past –whether they are true or not. In this instance, the Board is the jury and the accused is Dr. Silver (not the complainant).

Dr. Silver's intent in drafting part I of her response was solely to sully my character to divert attention from herself. As such, guided by C.R.E. § 404, part I of her response should be disregarded.

Dr. Silver was hired by Sonya Stadnyck (n/k/a Sonya Trimbath) wherein she was provided a “short list” from Dr. Brodbeck.¹ Dr. Silver, in fact, reported to the Douglas County Sheriff that “she was appointed as Axsona’s therapist by Dr. Brodbeck.”² Both Dr. Silver and Sonya had admitted that Sonya had hired her with the help of Dr. Brodbeck. This was no coincidence.

To the best of my knowledge, Dr. Silver’s alleged “therapy” sessions with my 3-year-old daughter transpired without a treatment plan. No one, including the mother, Dr. Silver or the special Advocate (Dr. Brodbeck) consulted me about the proposition of subjecting my daughter of tender years to any psychotherapy until more than a month had already passed. Attached hereto are permanent orders declaring my right to contribute to medical decisions. Only, “in the event the parties are still unable to reach a joint decision, [shall] the final decision making authority will be with the mother.” *Id.* As set forth above, I was never afforded an opportunity to be aware of, let alone object, to Drs. Brodbeck’s and Silver’s scheme.

I have also learned that Sonja sat in on the first two or three of these clandestine sessions. Reportedly, my daughter was afraid of Dr. Silver, thereby necessitating Sonya’s presence. In my opinion, I concur that Dr. Silver’s presentation is unsettling. My daughter and I are not alone in reaching this conclusion.³

Sonya’s presence at these clandestine sessions is the justification that Dr. Silver now uses to claim a patient-therapist privilege and make the notes of those sessions available to Sonya, but not to myself (or to the Board). I believe that her assertion is supported neither by the law nor is it *bona fide*. I also believe that her assertion is probative of the collusion complained of herein.

Also attached, hereto, are two emails from Sonya Stadnyck to Dr. Brodbeck, including one dated November 26, 2001, 3:37 p.m.:

“I want to inform you that Axsona told me again that her father has inappropriately touched her.”

This email (which was a disingenuous and transparent attempt to “label” me as a pedophile) was, not coincidentally, generated just days before my vacation with both my daughters and was the second occasion where Sonya had sabotaged Axsona’s vacation with her father and sister. Both the labeling effort and the sabotage of extended parenting time are characteristic and easily identifiable techniques of an obsessive alienating parent.

¹ This allegation was admitted by Sonya Stadnyck in her September 2004 deposition.

² See police report.

³ *E.g.*, Ms. Gail Aiken has utilized Dr. Silver as her therapist in the past, and has offered to testify before the Board concerning her perceptions regarding Dr. Silver’s presentation and engagement. Her phone number is 303-564-7084.

The other incident was a restraining order, requested on a June 19, 2000 (the very next day after returning home from vacation with Sonya's family).⁴ It is also noteworthy that at no time ever (including the restraining order), was there any allegation of sexual abuse. Indeed, it was not until *after* the divorce and I had already stipulated to pay extra money to Sonya to keep Axsona in Colorado that the sexual abuse allegations mysteriously surfaced.

The timing of the aforesaid sexual abuse allegations should be juxtaposed to the timing of Lenore Walker's July 31, 2001 response [to Dr. Brodbeck] and the timing of this email by Sonya, set to coincide with the upcoming September 7, 2001 permanent orders hearing. Additionally, I am well aware the Board had already issued a letter of admonishment.⁵

Unfortunately, this case contains legion incidents of parental alienation, none of which have been acknowledged by the aforesaid Drs. Brodbeck or Silver. For example, on December 10, 2001, my other daughter, McKenna, and I returned from visiting family in California. On December 11 my attorney had spoken with Dr. Brodbeck and learned from her that the investigation had been **DISMISSED** by Douglas County Social Services. When I went to retrieve my daughter from the Parker Police Department (under surveillance), Sonya was parked there already. I parked about 40-50 feet away and she yelled out, "Come to the car and get Axsona. If you don't I'm leaving and you can't see her tonight." I responded, "I'm going inside, where we're suppose to exchange." Sonya, with my daughter as tearful witness, drove off. This incident was immediately reported (via cell phone), for the record, to Dr. Brodbeck. Sonya was never held accountable and, instead, was rewarded.

Three weeks later on January 5, 2002 Dr. Silver filed a report to Douglas County Sheriff with the knowledge that the first one had been **dismissed**. The Sheriff, in spite of Dr. Silver's follow-up, did not return her call or reopen the case. Three days later I received an "ultimatum" from Dr. Brodbeck (*visa vis* my attorney). At the time of her communication, she appeared to be unaware of Dr. Silver's report to Douglas County Sheriff. Her ultimatum was that, "Gordon can have Axsona from 9 to 5 unsupervised. If he doesn't agree to that then I will put him on supervision." She made the comment that she could accomplish this *ex parte* because she had "control over Judge Jack Smith."⁶ Such conduct is in violation of, not only the Colorado Supreme Court's Chief Justice Directive 04-08 concerning special advocate appointments, but was also a violation of the Ethical Principles of Psychologists and Code of Conduct 2002.

Dr. Silver's testimony in hearings (November 7, 2002 and May 6, 2003) and in depositions (May 2002 and October 2004), contained her hearsay account of things that Sonya said to her about my daughter. Dr. Silver had no personal knowledge of these hearsay accounts. Dr. Silver's numerous testimonies about the "etiology" of Axsona's problems appear to attribute those problems to me. For example, Dr. Silver alluded, during the November 7, 2002 hearing, to a

⁴ See attached Restraining Order.

⁵ See attached, hereto, the Board's letter to Dr. Walker.

⁶ See attached Motion to Disqualify Special Advocate and *ex parte* order.

supervised visit during, which Axsona stated there is a “snake in my pants.” Dr. Silver testified that the phrase was, “definitely sexual abuse.” When confronted with a book that my daughter had read, “Animals shouldn’t Wear Clothes,” containing an illustration of a snake crawling out a pair of pants, Dr. Silver retracted her earlier “finding.”⁷ Dr. Silver’s finding of sexual abuse, (prompted by the Judi Barrett children’s’ book (Simon & Schuster, 1970)), is probative that she started from a conclusion and worked her way backward; it casts doubt on her professional work product; and it is irresponsible. In fact, Dr. Silver had no credible evidence of allegations of sexual abuse or any other injury as a result of my action[s].

The outrage wasn’t limited to the “snake-in-the-pants” allegation (now retracted). Dr. Silver testified at the May 2002 deposition, concluding that, because I had “wiped [my] daughter from front to back,” I had engaged in sexual abuse. *See attached deposition, page 15.* It is preposterous and not even worthy of wasting time to refute such an allegation, if it weren’t the sad truth that Dr. Silver’s opinions have, in the past, been used to influence the outcome of custody proceedings. I have observed precisely the same manner of changing my daughter’s diapers and wiping as her mother during the course of our marriage and through my daughter’s potty-training. Yet, Dr. Silver did not reserve any condemnation for the mother. Additionally, this allegation was never reported prior to Lenore Walker’s involvement. In fact, neither Drs. Silver nor Brodbeck reported [to the court] that, just days after the alleged abuse had occurred, the Bridges Family Services reported positive comments to Dr. Brodbeck, my attorney (Dave Heckenbach), Sonya’s attorney and (Lori Crystal) regarding the visitations.

Unfortunately, Dr. Silver’s profoundly bizarre findings of sexual abuse in this case are not limited to this case, as my research has revealed. In another case, in which Ed Budd was the special advocate, Dr. Silver said of the father, Mitch Beatty, that, “their son has an obsession with dog weenies,” merely because the child had made a single, lone observation that the family’s dog did, indeed, possess such an anatomical feature. Dr. Silver’s “finding,” was unfortunately included in Dr. Budd’s report to the court, thereby prejudicing the father. And yet, Dr. Silver provided my three-year-old daughter with an anatomically accurate female doll to take with home with her, which is absolutely outrageous.

All this time I was supervised with only Axsona and not McKenna. The girls were less than a year a part. Dr. Kiefer stated to me, when I confronted him with the first allegation of sexual abuse by Sonya, that he had no reservation whatever with me taking McKenna on vacation and I remained unsupervised with her.

In an attempt to clear my good name, I voluntarily took a sexual predator test. The results concluded no indicators of sexual inappropriateness with children. These results were provided to Drs. Silver and Brodbeck, yet were disregarded.

⁷ See attached copy of book.

One might infer that a father putting himself through the most humiliating test voluntarily should have been exonerated from any further suspicion. However, as is well-settled, when one parent has no overnight parenting time, the other parent is free to relocate. Indeed, this entire matter was predicated on Sonya's objective to take my daughter to Maryland, and these "professionals" committed themselves to facilitate that objective, to the extent that it was consistent with their own personal caprice. As a direct and proximate result of the overwhelming attacks by these persons and the resulting financial impoverishment that surely follows, I have relinquished my parental rights against the wishes of both my daughter and myself.⁸ That fateful decision is now, of course, cited by the accused in the context of an affirmative defense. Their assertion has no merit in light of the massive compilation of letters, notes and recorded conversations containing my daughter's support and love of her family, her father and sister. While my opponents claim victory, the real loser, Axona, has neither a father or a sister.

In June, 2002, I met with Dr. Silver and shared with her my concerns regarding Sonya's alienating behavior, her history of aberrant conduct,⁹ her prior sexual abuse trauma and her stated agenda to move to Maryland in May 2000. Dr. Silver disregarded and omitted every single report that I made, without exception. See November 7, 2002 and May 6, 2003 Silver testimony.

In defense of her omissions of her interview with me, Dr. Silver argued in her response that she didn't have to corroborate or report my statements. However, as more fully set forth above, she reported anything and everything that Sonya claimed (about me), whilst omitting my account in its entirety. In any case, findings that are substantially based on references to each parent's opinion of the other's parenting skills, but no description of parenting behavior observed independently by the examiner falls below the professional standard. See, e.g., *Karp & Karp, Domestic Torts –Family Violence, Conflict and Sexual Abuse* (McGraw-Hill 1989) ("A good report . . . should show clearly what data the psychologist used and on what data specific arguments are based. Flat pronouncements might look good, but they are vulnerable to attack by other psychologists") *Id.* at § 12.35. Dr. Silver's double-standard of reported findings is indicative of bias.

Dr. Monte Weinstein attempted to testify to the methodology regarding Dr. Silver and to the fact that this was an old trick of asserting the father sexually abused the child in order to gain

⁸ This was the result of a private settlement that became necessary only once my attorney to whom I had already paid scores of thousands of dollars, could no longer pursue my claims without more even more money. The alternative would have been to pursue my claims *pro se* and be subject to over scores more thousands of dollars in judgments, and child support, enforceable through wage assignment, imprisonment, license suspension, negative credit reporting and a panoply of other measures intended to financially and functionally destroy an individual for the remainder of his life.

⁹ Her previous domestic violence with Bill Elerbe, high school expulsions, and beating five year olds with a bat, disconnecting conversations, voluminous violations of parenting phone and physical visitation contacts for years.

custody. Dr. Silver was aware of Sonya's K and L-scale testing results, yet omitted that (also) from her findings.

I recognize how much information is here and how much research needs to be done. However, I am confident that my research is accurate and has exposed a racket in Colorado of removing children from one or both parents after a divorce for financial gain. Because I have been active in disseminating information and encouraging other families to resist this tyranny, I have become the target of these persons' disdain. These individuals, now in the process of being exposed, are angry because of my exercise of First Amendment speech in taking out an advertisement in the paper for the purposes of soliciting information about their activities.

Dr. Silver has declared her disgust that a "non-profit" group in opposition to her activities had been formed. Yet, I have learned that a group, the Metropolitan Denver Interdisciplinary Committee (MDIC), has long existed in Colorado for the purpose of centralizing and facilitating the pernicious agenda complained of herein. This group ostensibly declares its purpose is to share valuable information between the divorce cottage industry professionals and judges. My findings are not contrary. The information that they, indeed, share is almost solely devoted to contriving new or refined ways to generate revenue and ensure collection through state-sponsored enforcement, notwithstanding Constitutional prudential limitations. The MDIC, in my opinion, is a clearing house for referrals (just as Dr. Mangan had mentioned in his response (600+ evaluations)) and maintaining high-conflict in domestic matters in order to ensure their proliferation and prosperity through a surreptitious need for their services.

My allegations against the people involved in this case are that they lied under oath and conspired to deprive young Axsona from the *essential* familial association of her father and sister. Further, as these individuals know (and have benefited from), this has been a long and expensive process that has divorced me from hundreds of thousands of dollars, which would have been better spent on the care of my daughters, such as a college fund that neither has.

To be certain, Dr. Silver's irresponsible and bizarre findings in this and other cases impose an untold and immeasurable toll on her hapless victims. In *Ryder v. Mitchell*, the Colorado Supreme Court noted, "[W]e agree that there is a risk of injury to a parent when a therapist expresses concern about poor parenting of one kind or another. The risks could include diminished parenting time, or in the extreme case, perhaps a change in custody. Those risks are real and potentially very damaging to the parent." 54 P.3d 885 (Colo. 2002)

Sincerely,

Gordon Stadnyck