



## A real Father's Day story



Catherine Ryan and her brother Eric sit on either side of Michael Kelly, the attorney they hired to represent their interests in custody dispute.

### Children in custody fight hire their own attorney

By Saul Rubin  
Herald staff writer

It took nine years, but Catherine Ryan, 17, and her brother Eric, 12, finally grew tired of being caught in the middle of a bitter custody battle between their parents.

They decided to take matters

into their own hands.

They worked all last summer and saved enough money to approach a family law attorney to see if he would represent their interests in the custody fight.

The two children learned Thursday that they will have their say in court — their request was approved to be represented

by an attorney in the custody proceedings.

"Things just weren't moving fast enough," Catherine said. "I'm just hoping that the whole thing will be over more quickly this way."

"There's only been one judge so far that we've been allowed to speak to," added Eric. "It takes up

a lot of free time to sit in court and do nothing."

While the court may appoint attorneys to represent children in custody battles, this may be the first time in California that children have hired their own attorney.

Hiring an attorney at an early age is not the only way the Ryans are ahead of their time. Catherine

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## Children

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completed an associate degree in journalism Friday at Santa Monica City College, where she was editor of the school newspaper.

Eric has been auditing classes at the college and doing "quite well" on exams, according to a family friend. Eric may become a student there next fall.

Eric worked last summer changing the oil on cars in his neighborhood, while Catherine worked as a horse trainer. They did not save enough money to pay attorney Michael Kelly his full fee, but Kelly said he would charge them about 10 percent of what he normally would charge for a custody case.

"I wanted to be sure that they were committed to producing their goal," Kelly said. "These are not wealthy kids but they just want to be at peace."

"Kids are usually just listed like property," Kelly said of custody cases. "The children don't have any standing in court and are usually bounced between one parent and another."

Both children now live with their father, Richard Ryan, in Malibu and say they wish to stay with him.

Their mother, Patricia Donaldson, originally was awarded custody of the children by an Arizona court in 1976 after her divorce from Ryan, said her attorney, Larry Burge. However, he said, Ryan took the children to Mexico and kept their whereabouts secret.

Catherine defended her father. "He didn't steal us — we wanted to leave," she said.

The children were discovered in Malibu three years ago, Burge added, and said they wanted to continue living with their father.

Donaldson believes she hasn't had a chance to maintain a relationship with her children.

"I do love my children," Donaldson said from her home in Arizona, "and when they disappeared they were nice and loving to me. The longer the children have been away, the more they move away from me."

Donaldson said the children should have been returned to her once they were discovered.

"I've read about similar cases where children are... returned to their jurisdictional state," Donaldson said.

But Ryan applied for a modification of the original custody decision in California and was granted an appeal, Burge said.

It was Ryan's appeal that prompted the children to seek their own attorney.

"It's been too long and drawn out," Catherine said. "It's not nice to go to court every two weeks."

Kelly said that both children were eager to stop the lengthy battle over their custody.

"The major thing they want is a cessation of the continuous litigation," Kelly said. "They want their parents to stop using the courts to get at one another."