

September 22, 2008

I know you are busy, but trust me when I tell you that the few minutes it will take to read this letter will be well-spent and life-changing. I'd like to tell you about Lisa Miller -- my client, my friend, my sister in Christ, and mother of six-year-old Isabella.

On October 27, 2008, a Vermont judge is holding a hearing to determine whether little Isabella will be stripped from her mother's care and given to a woman, Janet Jenkins, who is openly living the homosexual lifestyle. You see, Lisa Miller is one of thousands across this nation who have left the homosexual life through the redeeming power of Jesus Christ. The problem is, however, that while Lisa was involved in a same-sex relationship with Janet, in Virginia, Lisa had a child, in Virginia, by artificial insemination. Now, because Lisa has refused to comply with a court order giving Janet liberal unsupervised visitation with Isabella, Janet has asked the court to transfer custody of Isabella from her only biological parent (Lisa) to Janet, who is openly living a homosexual lifestyle.

I know this story sounds confusing, so let me back up and explain how we are at the point where Lisa could be thrown in jail for refusing to expose her child to Janet's harmful and destructive lifestyle and Isabella could be stripped from her mother's care by Virginia law enforcement officials. Before I begin, I want you to know that I am not exaggerating when I say that Isabella will be harmed by visitation with Janet. During one of the few court ordered visits that did take place, Isabella tells us that Janet: made then five year old Isabella bathe naked with Janet; had Isabella watch R-rated movies that depicted drug use and bloody murder scenes; and had Isabella watch Janet go to the bathroom. Others have testified in court documents that Janet lost Isabella at a county fair and Isabella was being psychologically harmed by the visits.

The other thing you should know up front is that shortly after Lisa ended the relationship with Janet, Janet sought full custody of Lisa's child. When she did that, Janet didn't allege that Lisa was an unfit mother -- because Lisa is a wonderful mother. Janet didn't allege that the law clearly treated her as a mother -- because it didn't. No, she asked the court to create new law and declare her a parent even though she had no biological or legal relationship to the child. And that's exactly what the courts did. Now, we stand on the brink of a court order stripping Isabella from her biological mother. With that said, let me start from the beginning of the story. At the end, I hope you will join in the efforts to stand up for, and intercede on behalf of, Lisa and Isabella.

After a very difficult childhood and a failed abusive heterosexual marriage, Lisa, at near bottom, was told by a psychological professional that she must be a homosexual. As a result of that, Lisa plunged feet first into the homosexual community. Living in Virginia, Lisa met Janet Jenkins around 1997. It wasn't long before Lisa moved in with Janet. The relationship wasn't a healthy one, but when Vermont legalized same-sex civil unions in 2000, Lisa and Janet traveled one weekend to Vermont to enter a same-sex civil union. The two women immediately returned to Virginia and continued their unhealthy relationship. In 2001, pursuing her desire to be a mother, Lisa became pregnant in

Virginia by artificial insemination. In April 2002, Lisa gave birth to a beautiful baby girl, Isabella. Lisa is the only parent listed on the birth certificate because Virginia law did not (and still does not) treat same-sex relationships as valid. At Janet's request, in August 2002, Lisa moved to Vermont, hoping the change of scenery would somehow make the relationship work. It didn't, and in September 2003, when Isabella was only seventeen months old, Lisa ended her relationship with Janet. Lisa and Isabella returned home to Virginia; Janet stayed in Vermont.

After becoming a Christian, Lisa wanted to put her former life behind her. As a result, without the assistance of an attorney, in November 2003, she filed papers in Vermont to end her civil union relationship with Janet. She filed in Vermont because Virginia didn't recognize the same-sex relationship and therefore wouldn't terminate the relationship. To her surprise, Janet retained an attorney and filed papers in Vermont asking the court to give her primary custody of Isabella, with visitation to Lisa. Even more surprising, in June 2004, over Lisa's objections, the Vermont trial court gave Janet liberal, unsupervised visitation. In fact, the June 2004 order expected Lisa to turn then two year old Isabella over to Janet for a two week visit in Vermont. It also required monthly Vermont visits.

Because Vermont refused to address the obvious legal question of whether Janet was even a parent to Isabella (which she is not), in July 2004, Lisa filed papers in Virginia asking Virginia to declare her Isabella's only mother pursuant to Virginia law. In October 2004, a Virginia trial court did just that, declaring that Isabella has only one mother – Lisa. Not happy with that ruling, the next month, the Vermont court declared Isabella to have two mothers – Lisa and Janet. The court was not shy about what it had done – it expressly stated that there was no law in Vermont that treated Janet as a parent because the legislature had not chosen to allow for two women to be a child's mother unless the partner had adopted the child. Janet never even attempted to adopt Isabella during Janet and Lisa's relationship. The court stated that it would create a law to determine who is a parent when a child is born by artificial insemination. It then created the new law and used it to declare Janet and Lisa to be Isabella's mothers. Janet then brought the Vermont order to Virginia, asking Virginia to give full faith and credit to the Vermont orders that treated Janet as a mother and gave her visitation.

Fast forward to today – Lisa has lost every single appeal in Vermont and Virginia. As I sit here today, I can tell you, that the Virginia appellate courts have decided that the Vermont orders are to be given full faith and credit in Virginia even though Virginia's marriage laws, including the Marriage Amendment we passed in November 2006, state that all orders coming out of a same-sex relationship are void and unenforceable. The Virginia courts made these determinations even though the Virginia Attorney General stated in court documents in Lisa's case that Virginia cannot give full faith and credit to the Vermont orders.

Now, Janet's attorneys have asked the Vermont court to switch custody from Lisa to Janet. They've made the request because Lisa has not given visitation for the past months out of concern for her child's physical and psychological well-being. On October 27,

2008, Judge Cohen in Rutland County, Vermont will hold a hearing on Janet's motion and decide whether to punish Lisa for disobeying the court ordered-visitation. Even before that, on September 29, 2008, the United States Supreme Court will hold a conference where it will decide whether to hear Lisa's appeal from the Vermont decisions. A couple weeks later, the United States Supreme Court will decide whether to hear Lisa's appeal from the Virginia decisions. Although we all know that the Supreme Court needs to take the case to protect Isabella (by reversing the Virginia and Vermont decisions), the odds are against Lisa since the court only takes 1% of all cases that come before it. The odds are even worse in Lisa's case because the Supreme Court tends to only take cases where there is a conflict between the states. Here, because Virginia courts ignored Virginia law, Vermont and Virginia are in agreement – Lisa has to turn Isabella over to Janet for visitation (or even custody if on October 27, 2008 Vermont switches custody to Janet). We've asked the Supreme Court to do what every single court in Virginia and Vermont has refused to do in over four years of litigation – squarely address Lisa's fundamental rights to raise her child. The Virginia courts have repeatedly failed to explain how a legal stranger can be given visitation to Lisa's child without violating Lisa's fundamental constitutional parental rights. The Vermont Supreme Court did look at the issue once, stating simply that because Vermont had declared Janet a parent, she now had equal constitutional rights to that of Lisa.

As you can tell, Lisa and Isabella need your help. Lisa's desire to raise her child according to the truths of Scripture are under attack: at one point during the Vermont litigation, Janet's attorneys argued that Lisa shouldn't be allowed to keep primary custody of Isabella because Lisa believed that God had a plan for Isabella's life and that God would protect Isabella. I'm asking you to consider whether you can commit to prayer on behalf of this family. At times like this, the Church needs to stand united before our Lord to intercede on Lisa and Isabella's behalf.

I would also ask that you consider what you can do to let others around the nation know about this case. There are so many other women around the country who have left the homosexual lifestyle and are struggling to keep their children. The nation and Church need to know about this in order to do something to prevent this from happening in our courts to other women, and to come alongside these women and minister to them.

It's at times like this that I recall one of my favorite quotes: "All it takes for evil to triumph is for good men (and women) to do nothing."

Again, thank you for taking the time to read this. I pray that each person receiving this letter will prayerfully consider what we can do to help.

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