

Child Therapist Rocky Spino on Custody Issues, Children of Michael Jackson, and Child Welfare
By Reg Seeton

The sudden and tragic death of music icon Michael Jackson has thrust the custody of his three children - Prince Michael, Paris, and Blanket - into the glare of media spotlight. Although issues of custody may be black and white to some parents involved, the loss of family stability can often send a child into a confusing tailspin of divided loyalties. In higher profile custody disputes, at times the welfare of children can become secondary to the bitter fight of winning the battle. In an effort to sort out the real issues and dynamics surrounding children at the center of custody disputes and



to learn more about various professional options to keep the best interests of children in mind, we sought out 20 year child therapist and licensed counselor, Rocky Spino, a former clinical director within the Children's Aid Society and adjunct professor of counselor education at McDaniel College in Maryland who specializes in the mental health of children and their parents in divorces resulting in high risk behavior.

With fractured families and single parenthood at higher levels than at any other time in history, more children than ever are being thrust into contentious custody battles. In relation to the welfare of children involved, what happens if a parent dies when custody isn't resolved? How about if an absent mother returns to assert her rights after a previous custody arrangement? What if grandparents stand up to fight for custody of children when a parent dies? How about if the legal mother hasn't been established? Given the many unique variables of custody disputes, what are the best ways to shield and safeguard children from heated parental battles?

In looking at the issues surrounding the custody of Michael Jackson's children, which include determining the legal rights of absent birth mother Debbie Rowe (mother of Prince Michael and Paris only), the rights of grandmother Katherine Jackson who the children already see as a parental figure in their lives, establishing the legal mother of Michael Jackson's youngest child Blanket, and the tensions of all sides of the complex





custody situation, potential lengthy custody battles often have unpredictable effects on children. As Rocky Spino explains, the death of a parent is hard enough for a child to deal with aside from a custody dispute. "There could be enduring effects of that depending on how long that is," says Spino. "Obviously the death of a parent can be a life situation that really puts fractures in a happy childhood, a healthy childhood. If you have a loss like that, the real effort is to help kids cope and put the pieces back together in their childhood. But if parenthood is up for grabs and all over the road then you can imagine the complications in trying to restore a healthy balance with kids." However, Spino also cautions of the effects on kids caught in the middle when parenthood is indeed up for grabs. "The implications of that, you turn the focus and center on the children and how they may be caught in competing agendas, the effects of that could be really long term and high impact."

In many custody cases involving absent biological parents who reenter the lives of children, or simply enter the picture while the children already have established mother and father figures, Rocky Spino reveals his first hand professional experience as related to long term effects on children. "I've seen very abrupt effects. And I've had parents reenter the picture and assert their paternity after years and years. I've had kids as old as 11, 12, and 13 who suddenly discover that they have a biological parent that they never knew who is stepping forward, announcing that and asserting rights of custody, visitation and access to their child." Given how the return of an absent parent can have a sudden and jarring impact on the stability of a child's home life and mental well being, child therapist Spino reveals how he and his team handle related issues in the best interest of the child affected. "If that is going to happen," Rocky says of the new parent asserting their rights, "if the authorities have deemed that that can proceed, we hope for a therapeutic process, a process that is 'child centered' involved to help to introduce that relationship. Hopefully in an incremental way, but also monitor how the restoration or introduction of that relationship gets going and becomes established and look in on how it's developing."

Speaking to the situation of former Michael Jackson friend, caregiver and ex-wife, Deborah Rowe, the mother of two of Jackson's children stepping in to fight for her custody rights to Prince Michael and Paris, there appears to be a fine line between the welfare of the children and granting custody to a person who isn't in their lives. As Rocky Spino explains from the outside looking in, the courts often have steps in place to determine what's best for children in similar situations. "I think psychologically and in the legal sense, if she does assert some custody rights and visitation rights and some right to be involved in reentering their lives, or entering their lives for the first time, and somebody would like to decide, 'Yes, that should happen,' there will be another process to evaluate her motives and her agenda and to just figure out, hopefully, if it's a positive, constructive, and genuine in terms of the interest of the children."

But given the complexities of the Jackson custody issue, as related to the termination of parental rights, how is it different than the termination of rights when children are put up for adoption? "A lot of times children obviously are up for adoption only after biological parent rights are terminated," Spino elaborates. "Children that are removed from the home and put into the foster care system and parents, for whatever reason, are not going to be available to parent the child, their rights may be terminated. Or they may voluntarily surrender their rights, and that is one kind of process that can be done at birth and was reportedly prearranged in the Debbie Rowe case, I suppose. But evidently in this case, from what we're hearing, there's some question about whether that legally was completed, the termination of her rights, which puts her in the position she's in right now, to have speculation about that."



So where is the typical middle ground in similar instances within the average dispute and termination of rights? "Typically, if there is such a thing," the 20 year national board certified licensed professional counselor reveals, "there is a process where you don't have the confusion after the fact. There may be adoptive kids who after some time would like to reconnect with their family of origin, their biological relatives, but typically that may be their right. But that's not to say that the parent who had their rights terminated coming back in the picture and reasserting some rights [doesn't have a right]."

Although it's one issue to deal with the return of biological parents that the children don't live with or perhaps aren't close to, it's also a separate issue to hand the final decision over to a third party that isn't familiar with the family or children at all. As Rocky Spino explains, children would be much better off to avoid the legal system if adults worked together and put their tensions aside to recognize the best interest of their kids. "Sometimes even judges can be very reprimanding, saying, 'Well, we're going to assume that you guys know what's best for your child. But since you can't do that, you have now invited a complete stranger into the picture to decide what's best for the child.' So in terms of whether they're in good hands with the court system, they'd probably be in better hands with adults that love them and care for them and can maybe negotiate these matters between themselves rather than turning it over to detached strangers who are second best in terms of determining what's best."

Interestingly, as we spoke to Rocky about his expertise in the field of child therapy and the effects of custody disputes on children, we couldn't help but think of the issue of live-in physicians as related to how such a relationship could affect children. As we know, Michael Jackson did have a live-in physician at the time of his death. However, for Rocky Spino it raises many issues of health care professionalism surrounding not only children in the home but also adults. "As a health care professional myself, folks are finally starting to talk about this. The right question, 'What was the doctor doing under



the same roof to begin with?' that's a real boundary, ethical issue, in terms of health care providers. Why are you even going to somebody's house? It begs that question. I mean there's a real ethical boundary issue. We don't move in with our patients. If somebody needs 24 hour around the clock medical care there are places for that, they're called hospitals. I mean if you're that at risk then you certainly don't need your primary care physician moving to your house with you, you need more around the clock structured care.

In direct reference to the Michael Jackson case, Spino was quick to point out the reality and undetermined consensus over the issue. "Obviously in that case many of those things are under active investigations and the jury [public and professional sentiment] is still out on those things."

But how does Rocky Spino view live-in physicians from his own ethical standpoint in an age where so much focus is placed on celebrity? "A lot has been talked about with celebrity," says Spino, "and sometimes we get drawn in when we have high profile patients or high profile clients, and that's easy to do. But let me be the first to say: Paris Hilton may call me up and request around the clock therapy, and that may be kind of an impressive idea, but somewhere my ethics and professionalism should kick in and say, 'No, I don't think so.'"

But in looking at the ethics and professionalism of child therapy as related to children who will have to go through the legal system during a custody dispute, often it's the judge who plays the most important role if he or she is child centered enough and psychologically minded. For Rocky, a judge who doesn't cross parental or party lines is much more effective for productive long term possibilities. "We like it when that happens because think about the unfairness and the emotional conflict a child who may have to face, 'Hey, who do you want to live with, mom, dad, this caregiver, that caregiver?' Many times there are divided loyalties and they equally love all of the people in question. That's a problem, too. Many times what we hope for is if there's going to be a prolonged conflict over custody, and where you should be and what the visitation schedule should be in terms of children, if a judge is well versed enough to say, 'Let's get these kids some place in



therapy where they can just be themselves and where they can be well taken care of in a therapeutic sense while we over here go through this process,' that may be the best case scenario."

With such complex custody disputes that entangle the lives of fractured families and children, what are some of the best options for kids within a "best approach" to therapy? As Rocky Spino left us with, the best approach to the well being of children, as also related to the three children of Michael Jackson, is to look upward from a child's perspective. "I think that the best hope and the best approach is to really make that outreach and that appeal to the adults. These are the significant people in terms of leadership and guidance in the lives of the child. Therapy, at best, is going to be a temporary haven and a temporary space for kids, as it should be, as we look towards somebody out there that is going to be a healthy, long-term influence of the child and a responsible party. So really, my effort quickly moves from the child into giving some attention to the adults in the picture and getting them re-involved in the business of the upbringing of the child in a healthy way."



We can only hope the adults surrounding the children of Michael Jackson, and parents in general, can take something healthy and positive from such a grounded and constructive approach to safeguarding the best interests of children involved in complex custody battles.

For more on Rocky Spino and his child and adolescent therapy services, stop by his [official website](#) for more insight, options, and available services.

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