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## **Janelle Burrill: Complaints against family court specialist go back years**

By Malcolm Maclachlan | 11/03/11 12:00 AM PST

According to her resume, Janelle Burrill is many things: psychologist, attorney, social worker. To the Sacramento Superior Court, she's both an approved family court mediator and a special master, a person appointed by the court to make sure judicial orders are followed. She's also been active in Placer and El Dorado Counties, testifying in numerous cases.

But to some critics of California's family courts system, she's something else: Exhibit A for what's wrong with family courts in California.

To at least one litigant, she'll soon take on another role: defendant in a civil rights lawsuit.

"The system is so incompetent that it can't weed the fraud out," said Jayraj Nair, whose son was taken away, on Burrill's recommendation, nearly three years ago. He has battled with the family court – and Burrill – ever since.

Nair is currently suing in Placer County to get Burrill's testimony stricken from his case, with a judge scheduled to rule about Dec. 1. He said he'll file the suit alleging that Burrill violated his and his son's civil rights at the conclusion of that case.

Meanwhile, Burrill is suing Nair for defamation. When reached for an earlier story, Burrill asked that all comments go through her attorney, who did not return a phone call seeking comment for this story.

Nair is hardly the first to question her work. A sampling of written opinions dating back to 2004 find judges openly taking issue with her arguments. These same documents show litigants also questioning her ethics.

The California Attorney General is also bringing two cases against her, the second of which is based on the Nair case. These are a subset of several complaints filed by litigants with the Department of Consumer Affairs (DCA), going back nearly a decade.

When all this is considered, Burrill appears to sum up many of the complaints about family courts that appeared in the California State Auditor's report released in January.

According to formal, documented complaints, she is well-connected and appears well-credentialed, but her work is incompetent and filled with bias, while her credentials themselves are questionable.

A review of cases she's been involved in suggests that she favors a controversial and not-widely accepted theory called parental alienation syndrome (PAS). Burrill has a well-documented track record of attempting to place teenage children with a parent they have clearly expressed that they want to get away from.

In 2005, an appeals court judge in El Dorado County had this to say about Burrill's work: "...the court properly could conclude that Burrill's concerns were overstated and the alleged detriment to [boy's name] was more illusory than real."

An unpublished 2004 appeals court decision from a Sacramento County custody case goes on along these same lines: "...the trial court agreed ... that Burrill's conclusion of severe alienation was an overstatement." Later, the decision notes "Burrill's conclusion that [the mother] was 'severely' alienating the children from [father] was too strong for the trial judge."

That case goes on to cite numerous allegations of "misconduct" against Burrill by the mother, who alleged that Burrill "deceived the trial court, failed to act properly as a mediator, and inappropriately presented the junk science of parental alienation syndrome."

One could argue that anyone who works in the family courts and helps decide who gets custody of children is going to take a good deal of criticism. Custody battles, after all, are often bitter and can be some of the most emotional of all court proceedings.

There are numerous comments about Burrill online – most of them negative from people who have had experiences in the family courts.

There was even a "Victims of Janelle Burrill Support Group" online — though the group appears to have stopped being active after, according to some people who were on it, Burrill herself began monitoring it in order to "stalk her victims," as one mother put it.

But Burrill remains on the Sacramento Superior Courts Special Master list, and the court's 2011 Family Law Private Mediator Panel for the Sacramento Superior Court. These are people designated by the court to work on child custody cases to provide counseling and therapy to children and parents, and also to testify in court about their findings.

According to the rules of the court, mediators must complete 25 hours of training. Special masters for family courts must have been active mediators for at least five years, or be family court attorneys in good standing.

A quick glance at the price list of the 26 specialists on the Sacramento list also illustrates how quickly a custody case could empty out a family bank account. Prices range between \$100 and \$200 an hour. All but one of the specialists also demand a retainer, ranging from \$500 to \$3,000. Burrill's rates are about average for the group. Oddly, family courts in most other California counties do not appear to publish similar lists of approved mediators.

When people complain, their cases get stuck inside the bureaucratic process in the overburdened DCA. There are at least five complaints against her pending with the DCA's Board of Behavioral Sciences (BBS), dating back to January 2009. The complaints raise questions around billing, competency and even emotional stability on Burrill's part.

An engineering manager with degrees from the Massachusetts Institute of Technology, Nair said he is the rare litigant with the resources to fight Burrill for years on end. The various court cases have set him back tens of thousands of dollars, he said, to the point where that appears to have been the goal all along. Part of the original dispute between them began with her overbilling him, Nair said.

Nair has repeatedly raised questions about her qualifications.

Though she earned a law degree from the McGeorge Law School of the University of the Pacific in 1991, Burrill is not a member of the California State Bar. Typically, a special master "is an attorney who is a member in good standing of the California State Bar," according to the State Bar's guidelines.

Burrill does not appear on the Special Master lists put out by the California State Bar for El Dorado, Placer or Sacramento Counties. She does appear, however, on the Sacramento court's list of masters for family court.

According to rules posted by the Sacramento Superior Court, a special master for family court matters "may be a mental health professional or attorney." There does not appear to be a standard definition of "mental health professional" included in these rules.

Burrill earned a bachelor's degree in psychology from the University of California at Davis in 1989 and a master's degree in social work from Sacramento State University in 1991. But she terminated her license with the state Board of Psychology in 2006, according to state records.

In March of last year, the American Board of Examiners in Clinical Social Work revoked Burrill's certification for "misrepresentation" of complaints against her, documents show.

In his current case against Burrill, Nair's attorneys have hammered a pair of Ph.D degrees in psychology that Burrill received from two online schools, North Central University and California Southern University.

North Central was not accredited when she earned her degree there in 2001. When questioned on the stand, Burrill confirmed she had never passed the psychologists' licensing exam in California, despite taking it multiple times.

PAS allegations by Burrill are central to the Nair case. In court in August, Suraj — much taller and thinner than the chubby preteen he was when the case began — testified by closed circuit video that his father did not alienate him against his mother, and that he actually encouraged him to maintain a relationship with her. He also requested his father be given full custody and that he not be forced to see his mother.

All Jayraj knows about his son's whereabouts is that he's somewhere on the East Coast. So he's been keeping an eye on airline tickets to destinations such as Boston and New York. "The day I hear something, I'll be going east," he said.