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Opinion #19

*What the newspapers won't tell you!*

March 1, 2007

## Abused German Child Is Finally Going Home!

# HILTZ GOES GLOBAL

## ***Germany Gets a Taste of American Incompetence***

***Children's Advocate Attorney precipitates an international incident based on his flawed interviews with a 3-year-old.***

BY GLENN CAMPBELL

Question: How many CAP attorneys does it take to screw in a light bulb?

Answer: Only one, if he is a very special CAP attorney, Steve Hiltz.

However, to unscrew the light bulb that Hiltz screwed in, it takes nine lawyers, four representatives of the German Consulate, two translators, four members of the media, a father flown in from Germany, an unnecessary court hearing and at least three weeks of delay.

The good news is that the German toddler that Hiltz was trying to keep in the U.S. without any legal basis is now going back to her family in Germany.

You could call this a pale imitation of the Elian Gonzalez case of 7 years ago. Elian, you will recall, was rescued off the coast of Florida after a disastrous crossing from Cuba in which his mother died. His father, still in Cuba, said he wanted his son back, and much gnashing of teeth followed.

In Hiltz's case, 3-year-old Selena Celebi, a German national, was subject to severe physical abuse while visiting Las Vegas on her mother's tourist visa. The alleged perpetrator was her mother's boyfriend. The mother herself was never accused of more than covering up for the boyfriend and



*No respect, no respect at all.*

failing to protect Selena from him.

The mother was subsequently deported by the Feds, implicitly affirming that Clark County's charges were not serious enough to hold her in this country. The girl's natural father, still in Germany and not involved in any abuse, said that he wanted custody of the child, and German child welfare authorities agreed to take control of her.

The only thing standing in the way of the child's return home was Steve Hiltz of the county-funded Children's Attorney Project (CAP). Hiltz had appointed himself as the child's attorney on the orders of—guess who?—Assembly Speaker Barbara Buckley, his boss.

In a Feb. 9 hearing (see Review-Journal, 2/10), Hiltz was fighting Selena's "deportation" tooth and nail, on the grounds that (a) she was already bonding with her foster family, (b) she was learning English, and (c) she didn't recognize her father in photos and videos shown to her. Hiltz argued that Selena should be kept in the U.S. and be adopted by her foster family.

The German Vice Consul from L.A., now forced to personally attend the hearings by Hiltz's earlier opposition, responded, "What would the U.S. government say if this were a U.S. child being held abroad?"

You can see the German government's position: This was their child being held alone in a foreign country against the wishes of her entire family. The Germans had already set the legal wheels in motion in their own country to take control of the child and assure her safety, and they were now defending their jurisdictional rights.

But you can also see Hiltz's position. Why would you send a child to a country with an appalling child welfare record, where social services have all but collapsed and where the needs of families are routinely sacrificed to commercial interests?

No, wait, that's us! But you can see how Hiltz wouldn't want to break the child's bond with her foster parents, who had had her for three months. After all, she didn't even recognize her father in those videos of her and her father

together.

We wonder: Did she even recognize *herself* in those videos? She's three years old!

The age of the child didn't prevent Hiltz from doing what CAP attorneys are authorized by Nevada law to do: represent the expressed "wishes" of the child. Hiltz is famous for his child interviews, where he sits down with a 3- or 5-year-old and, without any credentials in psychology, magically determines what the child "wants." Turns out, what a child wants is usually whatever Hiltz and Buckley want him to want.

Nevada law defines two kinds of attorneys representing children: the "child's attorney" who is supposed to represent what the child says he wants, and the "guardian ad litem," who is supposed to represent the best interests of the child, regardless of what he says. The former is appropriate for older children who can formulate plans and express their wishes. The latter is more appropriate for younger kids, who can't yet grasp their own best interests.

Under Buckley, the CAP program has steadfastly refused any assignment as guardian ad litem. We suspect that the reason is simple: Under Nevada law, a guardian ad litem can't be paid. However, this doesn't prevent the CAP program from barging into cases where they haven't been appointed and claiming to represent children who aren't even old enough to speak. By coincidence, these cases are whatever ones that are currently generating the most publicity.

The German case was horrendous—escalating physical abuse that nearly killed the child—but that doesn't change international law. In the Feb. 9 hearing, Hiltz opposed the rule of law on the flimsiest of grounds: that the father and his home in Germany hadn't personally been evaluated by Las Vegas caseworkers.

Hiltz's opposition, however weak, forced an additional hearing, held on Feb. 27 (two days ago). This was the massive unscrewing of the light bulb that involved 9 lawyers, 4 German diplomats, etc., all brought here by Hiltz's objection.

It even brought the father himself from Germany, apparently on a visa specially arranged through the State Department. The father met with the child in the presence of a qualified DFS therapist. At the hearing, the therapist reported to the court that the father was appropriate with the child and that the two were clearly attached to each other.

Hiltz changed his tune but was still off key. He now agreed that the child should go to the father. He agreed so strongly, in fact, that he generated a whole new objection: that the child shouldn't leave the U.S. until the German government could positively guarantee that she would be placed immediately with the father and not in any intermediate home. The Germans, of course, couldn't do this, because a court hearing had not yet been held in Germany on the matter.

In the end, after filling the courtroom with ridiculous words and being soundly rebutted by the real attorneys in the room, Hiltz announced that in the best interests of the child he would not pursue the matter any further. We give him credit for this. He could have delayed the child's trip by another week and triggered another 9-lawyer circus by appealing the decision to a higher judge, but he chose not to.

The hearing master in the case affirmed the obvious. The child will be flying back to Germany next Tuesday, in the company of her father and social workers from Germany. It would have happened sooner and much more simply without Hiltz's spirited defense, but at least he showed those Germans who's boss.

Earlier in the case, the German Consulate thought it would be sufficient just to send a letter to the court giving their government's position. In the end, it required a full diplomatic mission.

Joke's on you, Krauts! Your German logic is no match for our superior American incompetence!

—GC

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