

Pat Miller lives on a quiet street in a small trailer park near Salem. Her home is a place where people always feel welcome to drop in. The neighborhood kids know they can come to "Mamma Pat" for help when needed.

However, about 20 years ago, Miller's life was anything but quiet as she found herself in the middle of a groundbreaking custody battle involving her partner's kids.

She met Juanita Blondell in 1979 in Portland, where they both worked for the school district. Miller was in the maintenance department, while her partner was a custodian. They dated for a while before moving in together.

"Juanita decided to get a divorce," Miller explains. "She was kind of dragging her feet on it."

After all, she had five children ranging in age from 4 to 9. Three girls, two boys.

"We weren't necessarily out, but we didn't necessarily hide it either," Miller says. "Well, we hid it from our jobs, sure, but when it came to custody, the fact that we were lesbians was going to come out in court."

They turned to the Community Law Project for an attorney. The all-woman nonprofit collective offered legal services on a sliding-scale fee.

In 1978, the project published a handbook on women's legal rights in Oregon. It included a chapter on lesbian custody.

Although no law in Oregon said lesbians could not have custody, prejudice and misconceptions were widespread. And it was up to the court to determine what would be in the best interest of the children.

The handbook explained how lesbians could enhance their chances of getting custody. It rec-

MILLER'S TALE

Salem lesbian reflects on groundbreaking custody battle by Pat Young

ommended they do things that would look "good" in court such as avoiding gay hangouts, not living with a lover during the trial, joining the PTA, going to church and so on. Or they could take a stand and say, "I'm gay and I'm proud."

"It takes strength to fight either way," the handbook read. "But the women who have the courage to affirm their lives and their lesbianism will win the long-range battles. They will create the freedom we all desire. And they will make, although probably at a price, the changes that give us space."

Blondell and Miller chose the "I'm gay and I'm proud" route.

They also were helped by a 1979 Oregon Court of Appeals ruling on another custody case. Although a lower court's decision to remove the children from the mother was upheld, the appeals court said the ruling was valid for reasons other than her sexual orientation. It also struck down the lower court's ruling that the mother was allowed only limited visitation privileges because she was a lesbian.

So off they went to court. Miller was 20, and Blondell was 29.

"The husband screamed and hollered and tried to tell us that we wouldn't be able to raise the boys because there wasn't a male role model in the household. I can remember that the kids were going to Catholic school and the nuns would actually come into our house and baby-sit while we were in court," Miller says with a laugh.

But she also remembers being really scared because she had to testify as a witness and never had appeared in court before. She recalls putting her foot in her mouth when asked where the kids were staying; she replied that they were with their father, which made it look like he wanted them and the couple didn't.

Fortunately, her attorney came to the rescue and asked Miller why the children were with their father. Because he asked and the couple let them visit, she replied.



Pat Miller (with son Daniel in May 2001) and her partner were the first open lesbians in Oregon to get custody of children without restriction

"When all the yelling and screaming was done," Miller says, "the judge said our relationship was inherently temporary because of my age. And that five children was too much for any one parent to handle, so he split custody."

The split happened to be the way they were living anyhow. The two oldest girls were with their father, and the three youngest kids were with Miller and Blondell. The arrangement was working, so the judge just left it that way.

Miller notes, "That was the very first time that open lesbians had gotten custody of children in the state of Oregon without restriction," which means no limits were placed on her participation in the family. She did not have to move out of the house for Blondell to gain custody.

Miller has fond memories of the times in Portland. The couple bought a house on "sweat equity" and enjoyed Gay Pride, the Rose Festival, camping and picnics. The children were very much the center of their lives.

"I rode a motorcycle, and it was the only transportation I had for a long time," Miller

recalls. "When I use to pick up the kids from baby sitters, I would ferry them over one at a time."

In the mid-1980s they moved to Silverton to expose the children to life in the country. They rented a home on a horse ranch and did chores. Later they moved to Salem.

"When the kids grew up and moved away, we kind of didn't know what to do with ourselves," Miller says. "We had a good relationship, but we still felt there was more in our lives that we wanted. So we went out and got foster children."

The couple took care of two boys, ages 3 and 18 months, who just had been taken from their mother but were not completely in the system yet. They were in the process of adopting the kids when Blondell was killed in a car accident Jan. 6, 1995.

"At the time, she worked for the Woodburn schools and drove buses for special services," Miller explains. "She drove hundreds of miles a day for over 10 years and never had an accident. Not even a fender bender. Then she had one accident and she was dead."

Blondell went to work one day, just like normal, and on her way home stopped to help a friend whose car had broken down. Miller believes she pulled over to back her car into a driveway and knew one car was behind her but didn't see the second. The second car hit her broadside and snapped her neck.

Miller did not proceed with the adoption or foster parenting after Blondell died. It was too difficult, and she needed time to recover.

"I miss her a lot," Miller says. "I am still having a hard time finding a way to live without her and without the kids. I don't know why a person lives just to live. I am still trying to learn."

And she is learning. She has been in a few relationships, which didn't work out the way she had hoped, but she tried. She also had a business in which she and some friends repaired old computers, then gave them to needy families.

It's the children who really give her the incentive to go on. "My kids," as she calls them. And now she is proud to be a grandmother "11 times over." [E]

PAT YOUNG is a Portland free-lance writer and gay and lesbian historian.



Daniel Jr. spends quality time with Grandma last spring

"The husband screamed and hollered and tried to tell us that we wouldn't be able to raise the boys because there wasn't a male role model in the household"

—Pat Miller

You can unpack now...



We're the last Realtors you'll ever need.

Make Bender Properties your real estate home. Put your feet up and relax! Details are our business. You won't lift a finger as we attend to every aspect of buying or selling your home—even the little chores that others sweep under the rug. And successful? When it comes to fresh marketing or resourceful hunting, our enterprising agents really clean house. Complete service and client education are always our priority.

HOME PURCHASE & SALES
INVESTMENT PROPERTY SALES, PURCHASE & MANAGEMENT
LICENSED TAX CONSULTATION

It's ALL in our job description!

bender properties

4133 SE Division Street, "Richmond Place"



503.233.4363

Portland, Oregon 97202