

Gonzalez de Alcala vs. Wilcox - Time line: 2004 to present

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[Quenby Wilcox](#) | August 2013

2004 | –

After 17 years, 8 international moves, and having given up a career in the financial markets, a law degree and master in business administration in deference to my husband (Javier González de Alcalá's) career, we were returned to Madrid by Banco Bilbao Vizcaya Argentaria (BBVA), his employer of the previous 20 years. His prior post, Executive Director of the Treasury Department of Banco Ganadero in Bogota, Colombia (subsidiary of BBVA), and irregularities in his department had almost ended in his termination. Our transfer back to Madrid after 15 years of expatriation was particularly difficult for my husband professionally and personally, as it was for the entire family.

The labor related problems of my husband were just a reflection and result of deeper psychological and "anger-management" problems that had been prevalent in our marriage since its beginning. I had continually tried to convince my husband to seek help for his problems, but he refused to even acknowledge their existence. At this point I gave an ultimatum to my husband that either he face these problems and seek professional help, or our marriage would be over.

Instead of deciding to change his behavior, my husband's abuse only increased in the coming years in his efforts to dominate and control me, and there-by prevent me from leaving him. Hindsight is 20/20, and his manipulations in the coming years were "normal" and "predictable" as his father had done the same thing to his mother years before. In fact his father, brother, and later his cousin were complicit in his manipulations; as has been the case for centuries in the oppression of women around the world. My case is so classical that it is rather trite.

2005 | –

After moving into our new home in the northwestern suburbs of Madrid and a 6-month, kitchen reform from "infierno," I started considering my work possibilities. Unfortunately, due to a high level of discrimination against women combined with age discrimination in Spain, career possibilities for a 40+ woman who had been out of the work-force for the past 20 years were non-existent. So I considered my work/life experiences, the future of the Internet (Web 2.0), and decided to start a website for expatriates. The idea for the website eventually developed into a bigger project, and what I am presently trying to create. (See the presentation attached below - Global Expats: Concept and Structure.)

2006 | –

After difficulties and contractual problems with my Florida-based web designers and continual technical problems with my computer, my website finally was launched on the Internet in November 2006. In the summer of 2007, I was to learn that the technical problems with my computer were caused by a hacker hired by my husband, and that he was also behind the contractual problems with my web designers for www.global-expats.com.

The abuse and violence in my home had been escalating for the past 2 years, not only from my husband but from his family as well. It was having a horrible detrimental effect on me psychologically, but until my website started generating revenues I was financially dependent and could not divorce him. And, this is exactly why he went to such great lengths to destroy my Global Expats project.

2007

Spring 2007 | –

My website was enjoying great reception from many people in the global mobility industry, and several expat websites even contacted me about possibly collaborating our efforts.

May 2007 | –

My web designers (Arnima Web Design) "cyber-jacked" my website, dis-enabled member registration, content-management, and advertising capability. I started looking for a lawyer in the USA who could initiate legal proceedings against them.

June 2007 | –

My husband threatened to take away my children, all of my money and throw me onto the streets with nothing, if I continued in my efforts to initiate legal proceedings against my web designers and did not stop my work on www.global-expats.com. He assured me that everything had been "planned" and he would and could do exactly as promised. At the time I responded "Don't be ridiculous Spain is now a democracy, you can't do that!" Since then I have learned not only did he have the power to do as he said, but that my case is not as uncommon as one might assume; with reports by Amnesty International demonstrating that the problems I have encountered within the Spanish system are widespread for victims of domestic abuse.

July 2007 | –

I found bank statements indicating that my husband was irresponsibly invested in the stock market. He had lost all of the family savings 10 years before in reckless investments, wiping us out financially. Once again he was risking not only all of our liquid capital, but our home. I knew that the financial market collapse was inevitable and that it would be globally felt. I instructed My husband to get out of the market and even proposed investing in short positions, but as usual he ignored my advice and wishes.

I was panicked; until Global Expats started producing an income for me and my children we were totally dependent on my husband, whose behavior was becoming increasingly erratic and violent. I consulted with Señor Gonzalo Martinez de Haro of Vinander, Carlos y Asociados who assured me that my only recourse in protecting the family assets was through a divorce.

August 2007 | –

EVERYTHING in Europe closes in August, so I spent the entire month waiting and writing. My writing, my children, the support of a few friends, and hours in the gym are the only thing that has kept me going in the past years.

September 2007 | –

My husband's violent out-breaks escalated to the point that he spent an entire day pursuing me and threatening to kill me before ever letting me leave him. I knew the violence would just escalate in the ensuing months, and that in one of his violent rages he was capable of carrying out his threats.

My husband moved out of our home that day as he also realized that he was completely out of control. The next day I filed a formal complaint against him for his threats in hopes that someone might finally start listening to me. I had repeatedly requested that members of his family, our marriage counselor, and even some long-time friends speak with him about seeking help for his emotional problems, but no one wanted to become involved.

Señor Gonzalo Martinez de Haro of Vinander, Carlos y Asociados, "defended" me in the trial the next day. Upon leaving the court house he informed me that I would lose custody of my children, because my husband had accused me of being an alcoholic and drug addict. I found this ridiculous and knew I had to look for a new lawyer.

September – November 2007 | –

I visited the local Domestic Abuse Crisis Center, requesting assistance. For 3 months the civil servants of this Center sent me to meeting after meeting with everyone "reading me my rights" and quoting law after law, but failed to offer any concrete assistance in obtaining a lawyer. I also asked anyone and everyone I knew if they could recommend a lawyer from the private sector; all to no avail.

I presented myself 3 times to the American and French Consulates requesting assistance under The Convention of Consular Affairs, but was told that it was not their job to assist me.

As I refused to renounce my quest for a lawyer and initiate divorce proceedings, in October 2007 my husband filed for divorce. In his petition he accused me of being a drug-addict and alcoholic. The petition was filled with "testimonies" from friends of my husband who barely knew me, a neighbor, and our Brazilian maid with whom I have reason to believe he was intimately involved. I was later to learn that he had gone to absolutely everyone in the neighborhood asking for letters defaming me.

The petition was also filled with references to 20 different divorce cases of institutionalized drug-addicts and psychotics, which had no bearing or similarity to my own case or divorce. As I examined it, I thought "This is ridiculous. It is just more proof of how abusive and deranged he is!!!!"

My immediate concern, however, was that it stated that if I did not present myself to the courts in the presence of a defending lawyer, I was in effect admitting to being a drug-addict and alcoholic, and in contempt of court.

Not only had I not been able to find a lawyer in the past 6 months, but I had no funds with which to pay them. My husband had cancelled all of my credit cards, and had set up all of our bank accounts, so that I could not access any of our funds. This fact is more than substantial proof of abuse. Financial control is THE first sign of an abusive relationship.

In my desperation, I returned to the list of lawyers from the American Embassy website and called the only American name on the list, Steven Plehn. He did not handle divorce cases, but recommended a lawyer, Señora Belen Garcia Martin, who specialized in international divorce. I sold everything of value I owned to pay her retainer fee.

I was informed that during the medias a la previa my lawyer would solicit temporary alimony and sufficient funds to cover future legal expenses. I produced bank statements, monthly bills and prepared a detailed financial analysis of household expenses for this lawyer.

The day before the hearing my lawyer presented me with “a contestacion” which she would be presenting to the courts, and which explained the facts of the case as they were (see Contestacion of Sra. Garcia Martin ([C- Documento #1C - García Martin - Contestación Medias a la Previa](http://worldpulse.com/node/80536) attached posted on <http://worldpulse.com/node/80536>.) However, during the hearing my lawyer failed to present all of the facts of the case. She established that there was no evidence or basis to me being a drug-addict or alcoholic, but failed to establish any abuse on the part of my husband. I did not expect her to depose all evidence during a pre-trial hearing, but I did expect her to establish the fact.

2008

January 2008 | –

My lawyer refused to return my repeated phone calls, requesting when I could expect a decision from the judge. Luckily, I called the court asking when the courts resumed after the holidays, and could expect a decision from the judge. I was informed that my lawyer had already been served with the judge’s decision. I subsequently went down to the court house to obtain a copy of the decision. I learned that the contestacion from my lawyer had not been drafted in a legal form, and therefore was inadmissible, basically leaving me with no defense to the accusations of my husband or request for transference of funds with which I could pay future legal fees. (At this point Senora Garcia Martin is communicating that the judge refused to accept the written contestation, so exactly why the written contestation was not accepted is unclear).

In the hearing decision, the judge granted me a living allowance of €500/month with responsibility for all of the household expenses (€3-4,000/month) even though in court proceedings my husband recognized that his monthly income was apx. €8,200 (his income in reality was €15,500/month.) Under common property law, ½ of Senor Gonzalez de Alcala’s income is mine; therefore this judge and lawyer effectively misappropriated €77,000 of my money during 2008. (I was later told by a lawyer that these funds would be awarded to me during the liquidation of assets, but they were not included.) I was awarded custody of my children, but was not enough funds with which to pay for their daily expenses.

I informed the courts that I was dismissing my present lawyer and petitioning a court-appointed lawyer as well as a “stay” on the legal proceedings.

The file clerk handling my case repeatedly produced incorrect paperwork, and provided false information as to clerical procedures for the stay. My petition for a court appointed lawyer was

refused by the local colegio de abogados, under the false contention that it was not complete. It was not accepted until presented in the presence of 2 witnesses and at 2 different offices in Madrid.

I was then presented with incorrect paperwork for the stay on my case by the file clerk handling my case in the local courthouse (juzgado de Mostoles). Additionally, my petition for a court-appointed lawyer was not properly registered with colegio de abogados in Madrid until I returned insisting that it be done properly. It was only due to my diligence in reading all of the fine print, double checking all procedures, and my repeated insistence, that I was finally granted a court-appointed lawyer within the time limit under the law.

If I was not fluent in Spanish and do not allow civil servants to give me the run around, my paperwork would have never been processed in the time allotted. Once again, I would have been without legal representation for my divorce, and in effect admitting to being a drug-addict/alcoholic and in contempt of court.

During all of these months my husband was stalking me and constantly screaming threats of incarceration. "You'll see we are going to lock you up and dope you up for the rest of your life!!!" "It's all been planned! We do this all of the time....!!!" After 17 years of marriage I know my husband and his ranting and raving; these were not idle threats. (Unfortunately, testimonies in Abbott vs. Abbott, Amnesty International, inter alia, demonstrate that my case is far from unique- Please see Family Courts in Crisis Newsletters posted on <http://worldpulse.com/node/71182>).

February 2008 | –

I could not understand why I was having so many problems within the entire judicial system until a local lawyer unwittingly told me that the juzgado de Mostoles works under a tight-knit, nepotistic, networking system. Within this jurisdiction corruption scandals are a daily occurrence involving local government officials, law enforcement and judicial civil servants.

Senor Gonzalez de Alcalá's cousin is a member of the police force of Mostoles, ex-military, and whose wife divorced him for his violence and abuse of her many years ago. He would truly enjoy using his influence to hurt me as I am the only woman in the family who has ever dared to stand up to the degrading way that he treats the immigrant woman that lives with him.

At this point I realized that my husband had the power to carry out his repeated threats of the past 8 months. I had found that no one in Spain, including my Consulates (I have dual American/French nationality), were ever going to help me, and I would be forced to return to the USA in order to continue by battles. I also knew that I could not leave Spain until the courts literally threw me out onto the streets with nothing. If I left before then I would have been accused of abandoning my children, and if I attempted to leave with them, I would have ended up in prison under international child abduction charges.

As to why my lawyers had consistently failed to protect my interests, and that of my children, is a matter of speculation, and a question that only they can answer.

March – June 2008 | –

During those months the stalking and threats of my husband continued to escalate; I was

harassed by local police, and custody of my children was illegally taken from me. I filed official complaints against all of Senor Gonzalez de Alcala's infractions of the law, but they were always absolved in sub sequential judicial proceedings.

Additionally, I received repeated reports from friends and family around the world of phone calls and emails from my husband accusing me of psychosis, alcoholism, drug-addiction, and suicidal tendencies. (My husband's "rantings and ravings" at the time included "It's not my fault if you have an accident or commit suicide.") They all told me that his dialogues were obsessive and so well rehearsed that they would have believed him if they had not known me all of these years. I even learned that he had been spreading these rumors to anyone who would listen since our arrival in Spain in 2004.

June 2008 | –

By this time my neighbors and friends finally recognized that my case was not "normal" and a neighbor recommended a lawyer-friend, Señor Jorge Capell of the law firm Cuatrecasas, even offering to loan me the money to hire him. As I walked into my first meeting, I learned that this lawyer had gotten custody of his own children and could not help thinking "Did he play this same game with his ex-wife?" (Statistics demonstrate that 70+% of abusive men who seek custody of their children obtain it, with the percentage being even higher with those who work within the judicial system).

I had no choice, but to accept his services. If I had refused this new lawyer's services, under the contention that I could not trust him, I would have appeared to have been the paranoid idiot that my husband was trying to make everyone believe.

Also, this new lawyer is a partner in one of the most prestigious and expensive international law firms in Madrid. I thought he would hardly jeopardize his and the law firms' reputation over a simple divorce and international scandal.

July 2008 | –

His negligence's in my divorce proceedings were as follows:

1. He informed me that there exists a special domestic abuse court in Mostoles, but failed to petition a transfer for my case.
2. When I insisted on presenting drug-tests as part of my defense, he informed me that tests for drugs or dopeage do not exist. Anyone who owns a TV or reads tabloids knows that this is not true.
3. He failed to inform my forensic psychiatrist as to the date of my hearing. It was only by chance that I called this doctor 3 days before my hearing, and he was flabbergast, informing that he would not have time to properly prepare his report. His testimony and several articles written by me in 2006 (and posted on my website since then <http://www.global-expats.com/expat.aspx?section=english/world/articles>) more than clearly document the abuse of my husband and his family.

4. He failed to cross-examine the court-appointed psychologist, even admitting to me (in an email) that he had not even read the report or prepared a defense. The testimony of this psychologist was key in the judge's custodial decision, and it was imperative that his testimony be questioned and contested.
5. In March my court-appointed lawyer had refused to introduce written testimony from Astrid Betancourt ([E- Documento #4E - Carta de Astrid Betancourt](#)) (sister of Ingrid Betancourt, former Colombian presidential candidate and FARC captive), and written testimony of another long-time friend and psychiatrist, Piedad Rojas Gil, Phd ([E- Documento #3E - Carta Dr. Piedad Rojas Gil](#)) documenting not only my excellence as a mother, but their concern for my safety. Senor Capell told me that he would introduce these documents during my divorce hearing, but failed to do so.
6. The judge refused to allow introduction of testimonies from my neighbors and friends during the divorce hearing, but my lawyer failed to protest to this violation of my rights under due process.
7. From the beginning I was more than clear if custody of my children was awarded to Senor Gonzalez de Alcala, I would appeal the decision. Senor Capell refused to appeal. When I insisted he sent me an email on November 14th requesting payment of €5.800 in order to appeal the case. The sentencia had been received by him on November 5th (which he forwarded to me by email, with 5 days to file an appeal, ie. November 13th), therefore impossible for him to appeal the case after that date. Why Senor Capell would request a payment of €5.800 for a service he knew was impossible, aggravating his already negligent conduct of having refused to file the appeal in the first place, is an answer only he can provide.
8. He had refused to initiate liquidation of my assets from the onset, as provided for under the law, and is also why I lacked funds to pay him and proceed with my appeal. (To this day I do not understand how in almost 5 years, not one of my lawyers has petitioned the courts for a subpoena demanding all financial records of my husband during our marriage, and my property under common property law.(?)
9. I would find out 1 ½ years after my divorce decree, and 2 lawyers later, that under the divorce decree, I am responsible for the mortgage on our home. Effectively, after 20 years of marriage, and having given up a career to follow my husband around the world, I was thrown on the street with nothing and a court order to pay €1,800/month (net) to Senor Gonzalez de Alcala. This decision in essence relegates my status during my marriage to that of a slave; obligated to pay for my "liberation". Yet Senor Capell did not believe this decision should be appealed?!?

At the time Senor Capell informed me that he had filed an appeal for my alimony, but not the custody of my children. It is my understanding that he never filed any appeal what-so-ever. Since this time access to court documents pertaining to my case has been denied to me by legal counsel, therefore, I am unaware of what has transpired.

September 2008 | –

I was illegally left without any legal representation, and was recommended another lawyer, Señor Alberto Fontes, who agreed to represent me. He was hired under the condition that he would initiate liquidation of my assets and assure that my husband paid his monthly alimony.

I returned to the USA with the intention of initiating legal proceedings against my Florida based web-designers, “liberate” my website, get my Global Expats project moving forward again, and return to my children in Spain as soon as possible. In July 2007, my web designers had disabled membership registration, as well as CMS and advertising functionality, but due to my legal battles in Spain, I had been unable to do anything about it. I have reason to believe that my husband is involved in the contractual problems with my web designers, but will not know for sure except through pending litigation.

2009**November 2008 – February 2009 | –**

I hired Señor Alberto Fontes, arranged my affairs in Spain, and told my children that I was obligated to return to the USA for a little while, but would return to Spain as soon as possible. My children are totally unaware of the circumstances surrounding my case, other than their parents have gotten a divorce and all of a sudden they are not allowed to see their mother.

I further explained to them that I would do everything in my power to assure that what happened to us would not happen to other women and children. One of the few things that has sustained me in the past years, is that my children, more than anyone in this world, know who I am, what I stand for, to what extent they are the center of my existence, and how deep and undying my love for them is. At present all I live for is the day that I might once again be re-united with them; they have always been the greatest joy of my life.

2009 | –

Señor Fontes consistently failed to inform the courts of my ex-husband’s refusal to pay alimony, nor initiate liquidation of common property assets. I provided him with all pertinent documentation necessary to do this. His only response was “send me money!” and “bank statements are not admissible evidence in Spanish judicial proceedings.” I have repeatedly requested a detailed billing for services rendered, informing him that I could not pay a debt for which I have no receipt or explanation of services.

I have since learned that in order to petition unpaid alimony through the courts, one requires a statement from one’s bank (€12 charge), which Señor Fontes did make allusions to in our conversations. I sent several emails to my bank, Banco Santander in Majadahonda, requesting such a letter, but never any response from them. I find it difficult to believe that I am the first woman in Spain who has been required to petition back alimony through a lawyer, and that Señor Fontes would not have sent a letter to my bank informing them that if they did not comply with my instructions, he would initiate legal actions against them (?).

June 2009 | –

I requested that the Spanish Consulate assist me in procuring a court-appointed lawyer, as well as

assistance from the US State Department in assuring that the Spanish Consulate complies with their legal obligations, as defined under the Spanish Constitution and Convention of Consular Affairs. The Spanish Consulate has returned my petition unread, and the US State Department has failed to respond to my correspondence.

August 2009 | –

I noticed that liens of €800 were ordered against my bank account in Spain by the courts. The only logical explanation is that my ex-husband had informed the courts that I have failed to pay him child support; a criminal offense. I immediately transferred funds into my Spanish bank account and sent instructions to pay this lien. The debt was never paid and now the lien no longer exists on my account. Once again speculation on my part, but this appears to me to be improper procedure.

In the past months, my lawyer has insisted that I must present myself IMMEDIATELY to his office; otherwise he will renounce my case. Once again only speculation, but is it possible that he is unaware of my possible incarceration if I return to Spain, under present circumstances?

While incarceration for non-payment of child-support and/or alimony is considered rare, abusers are increasingly using the courts and prison systems with any pretext to harass their victims; and, are increasingly successful due to the widespread failure of legal counsel to defend their clients and the courts negligence in examining facts and proof.

November 2009 | –

The American Overseas Domestic Crisis Center (AODCC – www.866uswomen.org) contacted the State Department in my behalf, but the State Department never provided any assistance.

My ex-husband petitioned the courts to remove responsibility for any further alimony under the contention that he was fired from his job. The judge reduced alimony obligations to €350 /month, stating that I am in perfect mental and physical health, therefore, capable of supporting myself financially. Once again, my lawyer failed to appeal this decision, asking for proof as to Senor Gonzalez de Alcala's unemployed status as well as presenting evidence as to my own precarious employment and financial situation in the USA.

The veracity of my ex-husband unemployment at the time was not yet proven. In Europe it is only under extreme cases of incompetence, negligence, or illegal activity that a life-long employee could be fired without an extremely generous severance package. If he was fired after more than 25 years of employment with the same European bank, Banco Bilbao Vizcaya Argentaria (BBVA), within the year following our divorce and without substantial financial benefits, this constitutes further proof as to his unstable emotional state and capacity to care for our children.

Additionally, does this judicial decision not once again put into question the impartiality of judicial decisions during my entire divorce? Is it reasonable to believe that before and during my divorce, my alleged precarious mental state and substance abuse constituted an imminent danger to my children, yet now I am of perfect mental and physical health? Logic and reason would dictate that after the extreme emotional strains under which I have lived for the past 4 years, my psychological and physical state would have deteriorated rather than “miraculously”

disappeared.

2010

December 2009 – February 2010 | –

Since the Spanish Consulate refused to comply with their obligation under the Spanish Constitution to assist me in procuring a court-appointed lawyer in Spain, I finally found yet another lawyer, Señor Ignacio Gonzalez Martinez and his partner Señor Miguel Martinez Lopez de Asiain, in Spain to take my case.

It took the entire year for paperwork transfers, petitions, etc. to occur and for my lawyer in Spain to inform me that he finally had received all necessary documents.

February 2010 – February 2011 | –

Since 2008 I have been investigating the realities of judicial systems, divorce courts, and domestic abuse. I have read through thousands and thousands of pages of reports, statistics, amicus briefs, advocacy group websites, national and international legislation, constitutions, civil codes, penal codes, human rights law, UN recommendations, government agency websites, personal testimonies on the Internet, etc., etc. examining every single aspect of how our systems (and societies) are failing to protect victims of domestic abuse. (See <http://worldpulse.com/user/2759/journal> for the results of my research).

Also, since I was receiving very little effective assistance or communication from my present lawyers in Spain as to what was occurring in my case or how they proposed to defend me, I prepared a proposal for them. While my proposal is admittedly “non-traditional,” it is primarily based on recommendations laid down in Project on a Mechanism to Address Laws that Discriminate Against Women, by the Women and Gender Rights Unit of the United Nations as well as international law precedents set by Velasquez vs. Honduras, A vs. UK and Gonzales vs. USA, international treaties (particularly Convention on Elimination of Discrimination Against Women (CEDAW)), and the newly passed Spanish Acto de Igualdad 2007.

In February 2011, I sent this proposal to my lawyers in Spain ([H- Documento #1H - Resolucion financiero en divorcio 1143-2007 ofrecido febrero 2011](#)), but never received any response from them in spite of numerous emails and telephone calls.

2011

2011 | –

I was finally able to return to the creation of Global Expats / www.global-expats.com, and develop a promotional campaign on LinkedIn and Facebook in preparation for the “inauguration” of my new website. The response from those in the global mobility industry (executive and HR directors of multinationals, relocations companies, cross-cultural coaches, “trailing spouses,” members of “Expatriate wives associations,” etc.) has been absolutely spectacular, showing great interest and praise for the project.

The new website would have cost approximately \$20,000 to build, and in order to cover these expenses I repeatedly requested that my lawyers in Spain reclaim back alimony from my ex-husband (\$20,000+). These monies are the only portion of funds owed to me that cannot be contested and/or tied up in litigation for years to come, but my lawyers have refused to comply with my instructions.

Señor Miguel Martinez Lopez de Asiain informed me that reclaiming back alimony is no more complicated than notifying my ex-husband's lawyer, and after one year of my continual emails to him and Señor Ignacio Gonzalez Martinez, he contacted my husband's lawyer in March 2012, but never received any response.

Other venues that I am pursuing in order to procure the funds necessary are as follows:

1. A micro-loan through the Washington Women's Business Center, operated by the National Community Reinvestment Coalition. (I have no credit history in the USA and all of my assets are in Spain, so traditional loans are unavailable to me).
2. "Seed money" from prospective sponsors (See Business Plan and Presentation for Sponsors <http://www.worldpulse.com/node/44543>).
3. Prospective investors and/or partners.

November 2011 | –

Señor Miguel Martinez Lopez de Asiain informed me that he had initiated liquidations of my common property assets; savings account deposits and stock which amount to slightly over €200,000, indicating this would be the first of several petitions for liquidation of assets, with no indication of what would be included in future petitions, nor when they would take place. The fact that they would have initiated liquidation of assets without first having petitioned the courts that full financial disclosure by my ex-husband be accorded is flagrant negligence of their duties and professional misconduct.

By their failure to exhibit due diligence in the execution of their duties as my legal counsel and their omission of action, ALL and ANY reclamation against my ex-husband (for common property assets as well compensation for contributions to our home, family and his career, with his obligation being elevated by his premeditated fraudulent actions and malicious intent in previous judicial proceedings) was transferred from my ex-husband to Srs. Martinez and Gonzalez, in addition the liabilities of previous legal counsel for their lack of due diligence and professional negligence and misconduct. The petition and inventory presented to the courts by Señor Miguel Martinez Lopez de Asiain did not comply with my instructions of February 2011 (repeatedly emailed to Señor Ignacio Gonzalez Martinez during 2011-2012), further elevating their infractions of the law and fiduciary responsibility to me, their client. Whether Srs. Martinez and Gonzalez agreed with my conditions of my offer and reclamations is immaterial. Their obligations to present the facts of my case, my proposal, with the accompanying arguments to the courts exist at various levels.

1. As my legal representatives Srs. Martinez and Gonzalez were obligated to present my offer to my ex-husband's legal representative, who then was obligated to present it to my ex-husband in my behalf, regardless to their opinion about the offer as it contained nothing illegal in its content. In the eventuality that Sr. Gonzalez de Alcala refused my offer, Sr. Martinez was obligated to present it to the courts and presiding judge. If the judge refused to

consider my petition and arguments, or rule on said petition, I was in my due and legal right to present my case and arguments to the Constitutional Courts of Spain under art. 14, 15, and 18.1 (provided for under art. 57 of the Spanish Constitution). The refusal of Srs. Gonzalez and Martinez to present the material facts of my case, once again in violation of my rights, was in violation of art. 24.1 of the Spanish Constitution and their obligation to defend the principles of the Spanish Constitution, and their responsibilities, under art.1278 and 1279 of the Spanish civil code, as well as art. 11a and 512 of the Spanish penal code. Srs. Martinez and Gonzalez are liable for financial damages incurred by their omission of act and willful professional misconduct under art. 1101, 1102, 1902, 1088, and 1089 of the Spanish penal code. My proposition and arguments were presented based on provisions of the Spanish Constitution, civil and penal code as well as the Equality Act 3/2007 (as well as recommendations of various UN commissions), inter alia while their defense of their actions (and omission of actions) were based on nothing more than the “asi siempre se hace en Espana”..

2. Under art. 1278 and 1279 of the Spanish civil code and art. 11a and 512 of the Spanish penal code Srs. Martinez and Gonzalez were obligated to inform the authorities, presiding judge included, as to the professional and criminal negligence of my previous legal counsel and damages caused by said negligence. Their failure to do so was in violation of 450 and 451 of the Spanish penal code.

While the issues and legal arguments the existence or non-existence of various liabilities, and any claims by my ex-husband, his legal counsel or any other implicated party were already thoroughly addressed in my proposed settlement of February 2011, I will re-iterate them here.

In the petitions presented by Srs. Martinez and Gonzalez indicate that there are no common property liabilities. This is not true. There total is estimated at €180.000 and are as follows:

- a. my legal fees in Spain which amount to over €40.000
- b. \$75.000 usd (€58.000) for legal fees to bring suit against my web-designers in Florida for their breach of contract and possible criminal activity 2007 to present
- c. €3.500 fees paid to Dr. Orenge for his expert testimony
- d. €500 monies paid for a life insurance policy (2008) in case of my death, with my children named as beneficiaries
- e. €1.000 for miscellaneous items bought in 2008, which were necessary to assure my safety from the violent out-breaks of Javier Gonzalez de Alcala.
- f. €3.000 borrowed monies

Additionally, there is €70.000 of common property income in 2008 that was retained from me by the courts, and the judicial decision which accorded me €500/month, when in reality my husband’s income was €181.000. Half of his income was mine under common property law.

It should be noted that legal counsel of my ex-husband, as well as private detectives, wire-tapping our home and telephone, as well as computers-hackers to “crash” my computers, as well as any bribes or payments, etc. were all paid for by my ex-husband out of common property assets. In 2008 and during Javier Gonzalez de Alcala’s violent out-burst he

informed me that he had spent a total of €250.000 in his maneuvers to destroy me and my company, and not to afford me the same consideration is clearly discriminatory. These sums, and proof as to his criminal activity, would have appeared on financial records if full financial disclosure had been required by my legal counsel and the courts. Omission of action by legal counsel and the presiding judge to require financial disclosure makes them accessory after the fact to the criminal activity of Javier Gonzalez de Alcala.

Additionally, the contention that common property assets were used to pay off the mortgage on the home (or personal loan in the name of Javier Gonzalez de Alcala), and were liabilities of common property is erroneous, under 4 principles and legal arguments.

1) In the sentencia 1079 – octubre 2009 responsibility for outstanding mortgage payments (or prestamo vivienda) is assigned to my ex-husband, and therefore not a liability of the common property assets. (In sentencia 1143 it was assigned to me (el fallo) as well as my ex-husband (in another section,) leaving responsibility unclear. In the liquidation of common property assets, responsibilities for the household expenses during 2008 were assigned to me, and duly deducted as liabilities against common property assets. Failure to apply the same criteria in relation to said alleged debt is clearly discriminatory. It should also be noted that the sole responsibility for any liability related to any alleged loan or mortgage is elevated by the following:

- a) My ex-husband loss of his employment and thereby “compensation vivienda” of €1,917/month is due to his own negligence (and perhaps once again criminal activity) within BBVA. If my ex-husband had applied the same energy, dedication and intelligence to his job with BBVA (in Madrid or elsewhere) as he did in trying to control me, destroy my company and manipulate friends, colleagues and members of our community, not only would he never have destroyed his career, but he would have been very, very successful (and not just financially).
- b) Fair market rental value of our home is €4,000/month. Since I retain ½ equity of our home, my contribution to common property assets and maintenance of my children from the lost opportunity cost of rental income is €2,000/month

2) Additionally, as full financial disclosure (from August 1991-November 2008) was never solicited by my legal counsel from the courts and/or my ex-husband (November 2007- May 2012), UNDER MY EXPRESS ORDERS (violation of art. 33 of the Spanish Constitution, inter alia) there is no evidence that any monies that were loaned to my ex-husband in 2003 by BBVA were used in payment against the family home, or any other common property debt or liability.

All common property assets (including all and any financial records) held in the name of my ex-husband were held in trust by him, and his failure to produce those records during the liquidation of assets is in clear violation of his fiduciary duty as trustee (and not sole owner) of said assets and proof of assets. This is clearly discriminatory and under the art. 13 of the Equality Act 3/2007, inter alia the burden of proof as to where any alleged loan from BBVA was transferred falls upon Javier Gonzalez de Alcala. Absent of said proof, negates any claim on his part.

- 3) In 2008 I was to learn from various sources in Spain, Colombia, France and the USA, that upon our arrival in Spain in 2004, and upon my ultimatum that he address his psychological and emotional problems or I would seek a divorce my ex-husband began a defamation campaign against me, seeking to convince his colleagues, friends and family that I had problems with drugs and alcohol as well as was emotionally unstable. Additionally, he had set up bank accounts that restricted my access to our assets. This information was always made available, and pointed out to legal counsel, and should have been introduced as further evidence of abuse during divorce proceeding, but was always suppress by my legal counsel. These completely unfounded and fabricated accusations of my ex-husband with the expressed intent to defame my character, obtain preferential treatment during divorce proceedings, as well as defraud me of my rightful assets is further proof as to his malicious and premeditated intent; further elevating his responsibility and liability for any and all damages under Spanish penal law.
- 4) In 1999-2000 my ex-husband informed me that he had lost ALL of our savings on risky investment, WHICH I HAD EXPRESSLY FORBADE HIM TO INVEST IN. It was a time in our marriage, during which I was attempting to impress upon him the dire necessity for him to seek professional assistance for his psychological and emotional problems; threatening divorce if he did not do so. Whether he these losses actually occurred or where invented by my ex-husband in order to dissuade me from leaving him is unclear. First, if in fact he did lose these monies, art. 1371 under Spanish civil code and the reasonable person standard concluding that investing €450.000, and all of one's assets, in a new-issue, high risk stock (terra) IS "MODERATE GAMBLING IN ACCORDANCE WITH CUSTOM AND FAMILY CIRCUMSTANCES" is nothing short of ridiculous. Any such conclusion, during divorce proceeding or by legal counsel is completely discriminatory against the aggrieved spouse, and violated the spirit as well as the letter of the Spanish civil code.

Second, if he did not in fact lose these monies and instead held them in accounts that were hidden from me, then there would have been no necessity for a personal loan or mortgage, and any alleged monies or loan from the bank would have been transferred to these hidden assets and not used in the purchase of our home. A mortgage provides lower interests rates and tax advantages over personal loans, and under the reasonable person principle any alleged loan would have been structured as a mortgage not a personal loan. This further raises suspicions about the existence of any alleged personal loan, and the good faith of Javier Gonzalez de Alcala.

Once again failure to provide me with full financial disclosure by Javier Gonzalez de Alcala, my legal counsel AND/OR the presiding judge (who under due diligence should have requested full financial disclosure before considering and agreeing on any final settlement) is in violation of my rights under art. 33 of the Spanish Constitution, discriminatory against me, and thereby negates the validity of any contentions on the part of said parties, with the burden of proof as to the existence of said liability against common property assets lying with my ex-husband and the courts.

The double standard, and conflicting application of what constituted common property assets vs. liabilities, favoring my ex-husband and discriminating against me is in violation of art. 14 of the Constitution, inter alia. As stated before all of these issues and possible reclamation of assets

were addressed in my correspondence and settlement offer sent to Sr. Gonzalez in February 2011 (and repeatedly 2011-12). Sr. Martinez's failure to present my arguments and contention to the courts in May 2012 are clearly willful misconduct, aggravating his negligent actions and/or omission of actions.

Srs. Martinez and Gonzalez failure to fulfill their obligations as my legal counsel transfers the liability of the € 2.027.132 of assets and financial compensation from my ex-husband to them, and in no way extinguishes this liability or claim.

2012

December 2011 – March 2012 | –

While Sr. Martinez assured me that his petition of November 2011 was just the first of a multi-stage process in the liquidation of my asset I did not believe him. His contention made no logical sense, nor did I have any reason to believe that he was acting in good-faith, due to Sr. Gonzalez dragged out the transfer of my case and answer my emails after having spoken with Jorge Capell in Jan.- Feb. 2010 (according to him), and then refused to return my calls and emails after having received my proposed agreement, and the fact that the petition of Mr. Martinez was completely contradictory to said instructions.

So once again I contacted anyone I could possibly think of in efforts to find a lawyer in Spain who would follow the law and assist me. One such contact was with Las Mujeres Separadas y Divorciadas in Madrid. At first they indicated that they would contact my lawyer, but later in an email dtd April 2, 2012, indicated that they would be unable to assist me. I had contacted this organization twice. The first time was in March-April 2008, seeking the name of a lawyer who could assist me, and again in January 2009 under the same motive. On both occasion I was given no practical assistance, nor the name of any lawyer who could or would help me.

However, she did give me one very good piece of information. She stated (erroneous) that a case could be presented to international courts only after cases had exhausted the appeals process of the judicial system in question. Which of course would explain why my lawyers have consistently (illegally) refused to file appeals in regards to my case, believing that they may effectively “block” any possibility of this case being brought to the international courts. Any legal counsel, who has refused to take legal action (file appeals included) and/or have suppressed evidence in my case with the expressed intent of preventing me from presenting my case to international courts or tribunals only aggravates their already existing criminal or civil responsibility.

Another organization with whom I spoke during these months admitted the biggest, and first challenge in finding solutions to the “Alice in Wonderland” rationalizing in family law and their courts is finding lawyers who will protect and defend the rights of women and children.

Instead of empty rhetoric and publicity campaigns that do not mean anything, governments and government agencies need to concentrate their efforts on developing clearly defined protocol for law enforcement, court-personnel (including judges) and above all lawyers.

The legal profession needs to concentrate their efforts on recognizing which actions and decisions of the courts and their colleagues violate the rights of citizens. They also need to challenge the customs and traditions behind these violations, using the tools at their disposal; namely the Constitution, civil code, penal code and progressive laws.

And, members of the executive and legislative branches need to understand that their obligations to their people do not end with the passage of laws, but rather just begin.

February 2012 – April 2012 | –

As I saw that I was not going to receive any more assistance from Domestic Abuse/Women's Rights organization (in Spain, France or USA) than I had in the past, I compiled and present a complaint to the Defensor del Pueblo, Consejo de Poder Judicial, and Instituto de Mujer, in the hope that their interest would propel Sr. Martinez and Gonzalez to act in good-faith in protecting my interests and rights within Spanish tribunals. Unfortunately, they all refused to accept, much less investigate my allegations.

In light of the total impunity with which State and non-State judicial actors in Spain (and elsewhere) are at liberty to violate the rights of women and children during judicial proceeding I realized that Srs. Martinez and Gonzalez would continue to act in the interest of my ex-husband during the liquidation of common property assets, and that the presiding judge would do nothing to prevent or deter these violations. But, of even greater concern at that time was that Srs. Martinez and Gonzalez informed me that my presence in Spain would be necessary for a court appearance on May 11, 2012. Not only did I lack funds with which to pay for the voyage, I was certain my ex-husband would attempt to retain me in Spain against my will or carry-out his previous and repeated threats upon my life. Sr. Martinez response to my concerns was "Lady, that not my problem".

Upon my insistence that I lacked funds to go to Spain, and that my life would be under serious danger if I did go to Spain and present myself to the courts, Sr. Martinez obtain permission from the presiding judge that my presence was not required. I assume this decision was requested and accorded under the fear that I would protest to the unconstitutionality of the proceedings, if I did present myself.

April 2012 – May 2012 | –

On (or about) April 20, 2012 Sr. Gonzalez contacted me indicating he urgently needed a power of attorney in order to proceed with the sale of a time-share vacation home that we a part of communal property.

I found it rather ironic that he would be so urgently, insistently and adamantly be requesting a power of attorney for simple sale of a time-share, when for almost 2 years; I had told him that I would be happy to go to the Spanish Consulate in Washington, DC and sign any power of attorney necessary to obtain full financial disclosure from Javier Gonzalez de Alcala. Sr. Gonzalez never even responded to these offers. This is again a "Wonderland of Alice" discriminatory situation within family law. It is obvious that during a divorce there will be a division and liquidation of assets, and any power of attorney necessary to solicit these records through the courts should be "standard fare", and omission to act falls under professional negligence and willful misconduct.

Apparently, negotiations for the sale of said time-share had been initiated several years prior, and that the lawyer handling the negotiations had just recently found out that I was co-proprietor of said property, due to the willful deceit of Javier Gonzalez de Alcala. Once, again a fact that should have been presented to the courts during the liquidation of assets, with said omission to act again professional negligence and willful misconduct.

When I went to the Spanish Consulate, the woman who attended me said she was concerned (as would be the Consul) over the contents of the power of attorney requested by Srs. Gonzalez and Martinez, and their intent with such document. Apparently, the said power of attorney gave Srs. Gonzalez and Martinez the power to open and close a bank account in my name, with the power to withdraw funds from said account. First, the opening of a new bank account in Spain is illogical as I have a current account in Spain. Second, it was absolutely unnecessary for Srs. Gonzalez and Martinez to open said account, or go to Malaga to receive my check as they contended.

After a month of emails between Spanish lawyers and the Spanish Consult in Washington, DC, I signed a Nota Simple for Emilio Palacios Munoz and Carlos Martin Granados to manage the sale of said time-share. With no further ado the check was sent to me by registered mail, deposited in my account here in Washington, DC for the sum of €600, which I duly paid. Contrary to the contention of legal counsel with whom I have dealt in Spain in relation to my divorce, I have no problem paying for services rendered, when those services are duly and correctly rendered.

Not only am I grateful for the professionalism of Sr. Emilio Palacios Munoz, and particularly the Spanish Consulate, who simply took the time to think logically about what Srs. Gonzalez and Martinez were asking me to sign, and what was their intent. If more people would exhibit this minimum of due diligence in their work, rather than blindly conceding to the requests of those who abuse their powers in the judicial system, then over half of the problems in these systems would be addressed and resolved.

To this day Sr. Gonzalez contends that his request for said power of attorney was perfectly justifiable. However, he did remark that I had “llevado el dinero” (from the sale of the time-share), as if the money was not rightfully mine. Another example of his failure to understand common property law?

In July 2012 Srs. Gonzalez and Martinez informed me that my ex-husband owed me a net of €5000 from the liquidation of our assets. I inform them that this was totally unacceptable and that my proposal from February was what I had instructed them to submit to Javier Gonzalez de Alcala, and then to the courts. Sr. Gonzalez then informed me that in fact my ex-husband in fact owed me €12,000 net, according to the decision of the judge. But, that the courts were closed during the month of August and he could not initiate any further action until September 2012.

In October he denied ever saying that he had any intention of initiating further action, and that Sr. Martinez had never said that their petition to the courts in November 2012 was only the first of a several “stage” liquidation of assets; even though these contentions were made in writing and emails to me.

August 2012 | –

As Srs. Gonzalez and Martinez had continually refused to act in my interests and defend my rights within the courts, and Spanish regulatory agencies had refused to comply with their obligation to examine and investigate my allegations and complaint, I filed a complaint with the United Nations Entity for Gender Equality and the Empowerment of Women – Commission on the Status of Women against the Spanish government for the following violations:

- their failure to protect victims of gender violence
 - failure to assure due process and prevent discrimination against women within judicial proceeding pertaining to divorce, custodial decisions, and liquidation of common property assets
 - application of discriminatory norms against and stereotypes of women during judicial proceedings and decisions
 - the failure of government regulatory agencies to duly investigate complaints of lack of due process, discrimination, and negligence/corruption of State and non-State judicial actors.
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2013

December 2012 – January 2013 |

In spite of all efforts in the past 6 years to prevent me from getting a website re-built and moving forward with Global Expats, in November 2012 my new website, www.global-xpats.com was launched on the Internet.

However, in the past 7 years website technology and configuration has advanced considerably and my website is no longer in the competitive position in enjoyed in 2006. Competitor websites (www.yelp.com, www.citysearch.com, www.local.com, etc. how received tens of millions of dollars from capital venturists as well as re-investing hundreds of millions of dollars in revenues since 2006 in developing technology as well as promotion of the projects. **To recuperate the competitive position I enjoyed in 2006 vis-à-vis these projects/websites, tens of millions of dollars will need to be invested in Global Expats website. These are the damages I am reclaiming at this time from negligent legal counsel in Spain.**

However, to date implicated lawyers in Spain have refused to even consider such a settlement (thereby preventing the necessity for litigation within the international courts against the Spanish government.) At present, as an act of good faith, I am not requesting full damages which at end of 2013 amount to over \$500 million usd (based on competitors www.yelp.com revenues – see trefis.com & marketwatch.com data) growing by 45% each year, but only enough to upgrade www.global-xpats.com to where it would be today if not for their negligence.

April 2013| –

With the assistance of the American Consulate in Madrid I received the file and documents of my divorce and all related litigation from Srs. Gonzalez and Martinez, thereby officially ending all representation and litigation in regards to my divorce.

June 2013| –

I filed a complaint with the Spanish Bar Association of Madrid, against my legal counsel (Gonzalo Martínez de Haro, María Fernanda Guerrero Guerrero, Belén García Martin, Jose

Manuel Hernández Jiménez (court-appointed lawyer,) Jorge Capell de Cuatrecasas, Gonçalves Pereira, Alberto Fontes García Calamarte, Miguel Martínez López de Asiain, and Ignacio González Martínez) from 2007 – 2012 for their gross negligence and mal practice. (See my official complaint with all supporting documents posted on <http://worldpulse.com/node/80536>).

July 2013| –

The Spanish Bar Association of Madrid responded to my complaint, and in *Preliminar 859/13*, declared the following (inter alia):

- The violation of the rights of a victim of domestic violence and discrimination against women “exclusively affect fundamental rights recognized in the Spanish Constitution (CE) and norms in international agreements, and not in any way norms under ordinary laws” and thereby protects lawyers from any wrong-doing. (Demonstrating a lack of recognition of the hierarchy of judicial norms in Spain by the Colegio de Abogados.)
- The malpractice and negligence of implicated lawyers are “**decisions by lawyers [that] fall under their independence, prerogative** that assist in the execution of their function as provided for under article 542.2 of the Ley Orgánica del Poder Judicial, 33 of the Estatuto General de la Abogacía and 2 of the Código Deontológico de la Abogacía Española, [and] **that immunizes them from all interference and is the exclusive territory of the defense, without any possibility of a deontological revision**” (Demonstrating a lack of recognition of article 1, 9, and 10 of the Spanish Constitution, inter alia by the Colegio de Abogados.)

August 2013| –

I appeal the decision of the Spanish Bar Association of Madrid (*Preliminar 859/1*) with my appeal and supporting documents posted on <http://worldpulse.com/node/73713>. In accordance with Spanish law, the Bar Association of Madrid was obligated to forward my complaint to the *Fiscalia* (District Attorney of Madrid) for consideration and determination of all, and any, criminal allegations and infractions committed by said counsel, before continuing with their own investigation.

To my understanding they failed to submit my complaints to the *Fiscalia*, but have proceeded with their own investigation with no determination from the *Fiscalia*. They requested a response from implicated legal counsel as to my allegations (for enumerations of penal infractions see [Table 1 & 2 – Violation of Rights and Infractions of the Law by Legal Counsel – Gonzalez vs. Wilcox](#)). This is where my case in Spain remains at present.

CONCLUSION

All I have ever desired, and continue to desire, is to be able to live and work in peace, while taking care of and providing for my children. This I believe is a fundamental right, which has not only been denied to me, but is also being consistently denied to women around the world, due to the rampant corruption within our judicial systems. In the past 7 years I have been consistently told that my case is nothing more than a “civil” dispute and of no importance or consequence, a contention I have continually denied and contested. Civil, constitutional and human rights

violations, as well as the perpetual failure of the due process within the courts go to the very heart of what a democracy is and democratic process (see <http://www.worldpulse.com/node/52011>). Until, and unless, judicial actors, as well as the government agencies responsible for regulating those actors, understand that it is their job and responsibility to uphold the rights of citizens (nationals and foreign nationals), our democracies are no more than a simple slip of paper upon which empty words and rhetoric are transcribed.

IN CONCLUSION, I QUOTE:

“Corruption in the judicial system undermines democracy and human rights as well as diminishing economic growth and human development. The judicial system is the cornerstone of democracy: the enforcer and interpreter of the law passed by the legislature and implemented by the executive. It is also the final arbiter of disputes between parties. If a justice system is corrupt public officials and special interest groups can act in the knowledge that, if exposed, their corrupt and illegal acts will go unpunished. Public confidence in governance and the institutions of state is eroded as judicial corruption facilitates corruption across all sectors of government and society. Human rights are debased as citizens are not afforded their rights of equal access to the courts, nor are they treated equally by the courts. The international business community is reluctant to invest in countries – often developing countries that most need investment – where there is no certainty in the rule of law and no guarantee that contracts will be respected because the judicial system is in the service of those in power or with the deepest pockets rather than in service to the rule of law.” – “The Relationship between Human Rights and Corruption: the Impact of Corruption on the Rights to Equal Access to Justice and Effective Remedy” Victoria Jennett

“To prevent human rights abuses in the future, it is not only judges, it is not governments, principally it is the duty of all citizens who must demand, participate, and react against these abuses. It is a question of co-responsibility. I can do what I am suppose to do, and should do it. For that reason I am a judge. But, we all must ask if we are doing everything that we can. Or, to the contrary we are simply on-lookers to the drama that passes before us.”

Baltasar Garzon

“If the human race wishes to have a prolonged and indefinite period of material prosperity, they have only to behave in a peaceful and helpful way toward one another.”

Winston Churchill

“In a democracy, dissent is an act of faith.”

Senator William J. Fulbright

This is the true challenge of the 21st century, and why my complaint is not a simple “dispute” of no consequence or importance. And, why I will continue to exhaust all legal channels at my disposition, as I have continually informed all implicated parties. – Quenby Wilcox