Mom Wins Custody of Kids in HIV-Related Court Battle

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KWCH12 in Wichita, Kansas, reports on the latest ruling in Donna Branom's case.

A court ruled that Donna Branom, whose fiancé, Henry Calderon, is HIV positive, may once again see her two children, reports KWCH12 in Wichita, Kansas.

When Branom's ex-husband—the children's father—first learned of Calderon's status, he took Branom to court, claiming the kids, ages 8 and 16, were at risk of contracting the virus. Because Branom had missed an earlier court date, a judge in June had initially ruled against the mother and set another trial date.

In their most recent court appearance, the judge ordered, "The court will find that there is no risk to the children for them to become HIV positive."

KWCH12 reports that the judge's decision relied on a letter from HIV expert Donna Sweet, MD, who asserted that there was no record of anyone ever contracting HIV from casual contact.

In an email correspondence with POZ, Calderon wrote, "We are thrilled beyond words that we were able to get the order reversed! However, we still do not think that the judge did it because she knew it was the right thing to do. We felt as though Judge Maughan was pressured into reversing the motion. She was told by our lawyer that her decision would have a national effect. We had also requested that the ex be sanctioned, to prevent him from harassing us further, and to have two consecutive weeks with the babies, for time lost. Both of the requests were denied.

"This is not over!" he continued. "We plan to try to amend the laws here in Kansas to make it to where what we went through doesn't happen to anyone else. We are hoping that if it does get changed, that other states will follow suit, and change their laws as well. Our dream is to see it become changed on a federal level. No child(ren) should ever be taken out of a loving home because of HIV, or any other disability for that matter."

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