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Madeira Serves as Legal Commentator in Netflix's "Our Father"

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Madeira serves as legal commentator in Netflix's "Our Father"

Posted on [May 15, 2022](#) by [joboyd](#)

A new Netflix documentary utilizes the expertise of an Indiana University Maurer School of Law professor to help explain the legal ramifications of an extraordinary fertility fraud case.

[Jody Madeira](#), an internationally recognized expert in fertility fraud, bioethics, and law and medicine, with a focus on reproductive endocrinology, is featured as a legal expert in [Our Father](#). The documentary examines the case of Indianapolis doctor Donald Cline, a fertility specialist who, after a fraud investigation, was found to have used his own sperm to artificially inseminate patients in the early-to-mid 1980s.

When Jacoba Ballard took a commercially available DNA test in 2014, she was surprised to discover she had seven half-siblings. As time went on, and more and more people uploaded results of their genetic testing to online databases, the number of Ballard's half-siblings continued to grow. Cline is believed to have biologically fathered at least 94 individuals between 1979 and 1986. Court records indicate that Cline told women he was inseminating them with sperm from medical or dental residents or medical



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that he was using his own sperm in the process. Ballard started connecting with her half-siblings as more and more continued to appear in genealogy results,



Prof. Jody Madeira

eventually bringing a complaint to the Indiana Attorney General's Office.

Our Father covers the ethical, moral, and legal complexities of the case. At the time the inseminations occurred, there were no laws prohibiting what Cline did. While many women argued they were raped, prosecutors were faced with a major dilemma—how do you hold someone accountable for an action, reprehensible as it may be, that wasn't illegal when it occurred?

"When you talk about rape, there is a provision in Indiana law that says rape can include conduct which a victim doesn't know is sexual, but the perpetrator knows is sexual," Madeira tells the film's producers. "And that I think is the closest charge."

Madeira interviewed Tim Delaney, the deputy prosecutor with the grand jury division of the Marion County Prosecutor's Office, who handled the Cline case.

Cline was eventually charged in 2016 with two counts of felony obstruction of justice, for lying during the



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both counts in 2017. He received two suspended sentences and paid a \$500 fine.

That punishment, Cline's offspring argue, was not nearly severe enough for what he did. But Madeira notes that based on the laws Delaney had to enforce, he wasn't able to go after Cline for more severe charges. If anything, she said, the case illustrates the limits of the judicial system.

"I think we have to see Tim Delaney in which the context this was brought. He said that Indiana juries were not willing to buy rape by deception theories. The jury is going to say 'This woman consented to insemination,' 'This woman wanted a child,' and the question is always out there: Does this woman's desire for a child legitimate Donald Cline's deception? And unfortunately, that is a question that Tim Delaney had to weigh would enter into the minds of jurors."

Our Father is streaming now on Netflix.

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