



AN INDEPENDENT REPORT ON CORRUPTION AND WASTE IN THE NEW YORK FAMILY COURT SYSTEM

"The family courts are operating a kidnapping and extortion racket." – [Dr Stephen Baskerville](#)

"Our state court system in New York is absolutely insane. It has enabled political people to control the courts, and they don't want to give it up — so it's very hard to get legitimate change that would be beneficial to the public." – [The Hon. David Saxe, NY Appellate Division Justice \(retired, 2017\)](#)

"There is no system ever devised by mankind that is guaranteed to rip husband and wife or father, mother and child apart so bitterly than our present Family Court System." -- NY Supreme Court Judge Brian Lindsay

After an exhaustive survey of litigants, attorneys and judges in New York State's family and matrimonial courts, and with the cooperation of numerous organizations and individuals, the Families Civil Liberties Union presents this wide-reaching report into the family court system of New York. It reveals corruption, cronyism, racketeering, waste and abuse that require urgent public attention.

This report is timely and relevant because the New York judiciary has just been granted \$3.1 bn in new public funding for the coming year, an increase of 3.4% -- higher than any other government entity. This money was signed off on by both the NY Legislature and Governor Cuomo. This report shows why all funding for the judiciary should be frozen until the evidence of systematic fraud in the judiciary is fully investigated.

The report begins with a survey of the judges who have most egregiously failed to perform their constitutional and statutory duties in 2017 and 2018. The report then documents the agencies which have facilitated, and benefited from widespread judicial misconduct. In the interests of our children and families – and of the citizenry that pays their lofty salaries – they all need to be investigated, audited, and removed from the public payroll.

FAMILY COURT JUDGES

1. **Esther Morgenstern** (Kings County, Integrated Domestic Violence Court): NY's most corrupt and poisonous jurist. She is a zealous advocate for maximizing Title IV-D funding to pay for her expensive blonde perms, and huge salary -- all at the expense of our families. An order which she signed on December 13, 2017, is a good example of her misconduct. It stated that *"the father shall pay \$2000 in child support arrears by Jan 2, 2018. If not, visits are suspended."* This order was a blatant attempt to extort a parent of money, using the threat of ending his parenting time. And Morgenstern carried through on the threat: the children have not seen their father since. Morgenstern's support/visitation linkage is illegal. Under New York law, visitation may not be denied solely for reasons unrelated to the best interest and welfare of the child. As such, the failure of the noncustodial parent to make payments of support is an insufficient basis for a court to deny parenting time. *Stewart v. Soda*, 226 A.D.2d 1102, 1102 (4th Dept. 1996); *Resignato v. Resignato*, 213 A.D. 2d 616,

617 (2d Dept. 1995); *Farhi v. Farhi*, 64 A.D.2d 840, 841 (4th Dept. 1982); *Engrassia v. Di Lullo*, 89 A.D.2d 957, 958 (2d Dept. 1982). But Morgenstern, working in collusion with the corrupt Children's Law Center (CLC), believes she can operate above the law. Known as Mickey to her family-court friends, Morgenstern is a former law clerk, who came to the bench in 1996 and now receives \$232,000 in salary and benefits from the NY taxpayer. She lives in a mansion in Five Towns with her second husband. Believing her powers to be limitless, she has taken on a huge case-load with the criminal court, divorce, and family courts. That case-load has been increased by her assumption of the cases of another abusive judge, Patricia Henry, who thankfully retired in July 2016. One attorney states that Morgenstern “*was hand-picked by Sheldon Silver’s cronies to eviscerate Brooklyn’s families for federal money from the Title IV-D program... She is a loyal mutt for a corrupt master.*” A journalist characterizes her thus: “*Morgenstern’s bleached blond hair and arrogant demeanor give her the look of Barbarella on a bad acid trip.*” A divorcee herself, she takes the bench at a leisurely 11am – [two hours after the 9am start time that Governor Cuomo has demanded as a condition for considering the judiciary’s request for pay hikes](#). She speeds through cases, removing children from homes, jailing fathers and imposing impossible conditions as part of her orders of protection. She interrupts and derides attorneys, scolding one public defender to “grow a pair” when he asked to be relieved from the case. She gives pro se litigants very short thrift – and discriminates viciously against fathers. Cases drag on years before they come to trial. Those trials are a travesty: defense experts are precluded, the targeted parent’s motions get conveniently lost; court favorites are included; and final decisions take months. Meantime, the children have no contact with one of their parents – almost always their father – and end up deeply disturbed. Her brutish court attorney, Brian Kieran, a character straight out of *The Sopranos*, intimidates litigants by pressing his face right into theirs, so that his anger and halitosis become a source of nightmares for weeks to come. Judge Morgenstern’s actions bring into disrepute the court both inside the courthouse and outside. She is regularly featured in media reports about fraud, waste and abuse in the NY family court system, [including this exposé in the NY Post](#): Morgenstern is also the main villain in the book *A little lynched: A Judge-ordered kidnapping* by Aleah Holland RN. In the book, Holland details the ex parte hearings held by Morgenstern, and charts how Morgenstern alienated her children from her after she refused to accede to her requests to make false allegations of abuse against the child’s father. Judge Morgenstern and her court attorney Kieran conducted unlawful, ex parte communications about the case with CLC attorneys Dawn Post, Hilarie Chacker, Genevieve Tahang-Behan, Patti Hurtado and Cynthia Lee. These ex parte communications are a violation of the judicial canon to which Morgenstern is bound, specifically Section 100.3(B)(6 *A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers concerning a pending or impending proceeding.*”): So cozy is Morgenstern’s relationship to the CLC that she even has a mailbox openly on view in her courtroom for her correspondence with the CLC. Morgenstern allows the CLC to testify in cases before her, in violation of the attorney-witness rule. She also has an improper relationship with Safe Horizon, an organization to which she sends many families for “supervised visitation”. In return, Safe Horizon gives her regular “honors” such as the “Annual Award by the New York State Chapter of the Supervised Visitation Network.” Morgenstern’s inappropriate relationships with the CLC and Safe Horizon place her in violation of judicial canon, Section 100.2 (A): “*A judge shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.*” Morgenstern’s conduct is a fraud upon the Kings County Family Court, the Unified Court System, the children whom the CLC and the court purport to represent, and every New York taxpayer.

2. **Robert Onofry** (Orange County Supreme Court): Running a charming upstate court-house like his vicious private fiefdom, Onofry shamelessly rewards friends and colleagues at the expense of due process. He traffics hundreds lucrative ‘attorney-for-the-child’ business to colleagues like Kelli O’Brien. Onofry also favors certain forensic evaluators like Debra Klinger Rosenfeld, whom he appoints to conduct \$20,000-and-up “reports”. He jokes around with, and rules in favor of attorneys like Kiel Van Horn, the son of another family court judge, Victoria Campbell. Judge Onofry and Judge Campbell were both city court judges together in Port Jervis. As well as being friends with Judge Onofry, Judge Campbell receives campaign financing from the Onofry family, and Campbell returns the favor to Onofry. Judge Campbell served as the Town of Deerpark’s attorney for the ethics committee while Onofry’s law firm was representing that same town—all while the current DA for Orange County served as Councilman there. A very cosy set-up indeed and one which is the very definition of a conflict of interests: *“An appearance of impropriety occurs when reasonable minds, with knowledge of all the relevant circumstances disclosed by a reasonable inquiry, would conclude that the judge’s honesty, integrity, impartiality, temperament, or fitness to serve as a judge is impaired.”* On the bench, Onofry’s rulings routinely violate state and constitutional law. Custody trials drag on for years. He tries to deny pro se litigants access to key evidence like the forensic report, until those litigants threaten Appellate Division action, at which point he relents. He has even tried to deny a targeted parent the right to call the protected parent as a witness for his defense, on the grounds that she had already appeared as her own witness. When a litigant calls him out for abuses, Onofry retaliates by taking the child away from the impudent parent. This is what happened in the case of William Brandel vs Cecilia Brandel. In April 2018, he suddenly removed a six-year-old child from the care of her father, after an oral application by O’Brien and Kiel Van Horn (Judge Campbell’s son). The court had made no finding of abuse or neglect, and Mr Brandel had a chance to testify. In this case, Judge Onofry’s order tore a six year old girl from her school and home, forcing her to go live somewhere in Pennsylvania, at a location which neither the AFC (O’ Brien) nor the forensic evaluator (Klinger Rosenfeld) had ever visited. When the father begged Onofry to show mercy on the child, he declined, saying: *“The girl is six. She will get over it.”* Other misconduct in this case included Onofry ordering a trial without any petition to modify having been filed; allowing the protected parent’s paramour, Gregory Joslyn, to sit in on proceedings, even after the targeted parent’s attorney said that he would be recalling him as a witness; and failure to disclose a prior relationship with Mr Brandel, whom he had adjudicated against, years before, in a guardianship case involving his father. Onofry also held illegal, ex parte hearings (eg 5/23/2018), where Brandel was excluded and then subjected to punitive orders. Brandel has also reported that the court has destroyed and tampered with evidence, removing sub-poenaed documents, including police reports, from the court file to prevent him having access. Vain and self-important, Onofry constantly refers to the court as “my courtroom” and boasts of *“my fabulous record with the Second Department Appellate Division.”* Onofry harasses journalists, in violation of the New York Shield law, and even bars them from access to his courtroom, in violation of rules set up by New York Chief Judge Janet DiFiore. In April 2018, he badgered and rebuked an FCLU observer: “If you shake your head again, I will have you removed.” A few minutes later, he carried out this threat, and ordered his armed officers to remove the observer from the courtroom. Onofry was appointed to the bench in 2009 and his current term expires in 2018 – and is seeking reelection on the Republican line in November.
3. **Deborah Kaplan** (New York County Supreme Court). The finest example of a Goddess Complex in the NY court system. As Administrative Justice, she is also one of the most powerful members of the NY Judiciary. *The New York Post* has called her a “mafia princess

[who] enjoyed a pampered youth as the 'princess' daughter of a mob-connected crook and drug trafficker, and loyally defended him even as she rose to become a Manhattan Criminal Court judge.” Apples do not fall far from the tree, and, according to one leading NY matrimonial attorney: *“The daughter of a Luchese associate who ran a mob warehouse and a intermediary for mob hit orders, Judge Deborah Kaplan, aka the Mafia Princess, sat as Co-Chair of the Gender Fairness Committee of the Criminal Court of the City of New York. Ironically, she is anything but gender-neutral. She claims she became a lawyer to get her father out of a 27-year prison sentence, so she can be with him once again. In a perverse twist of fate, she has managed in her short matrimonial tenure to rip countless children away from their fathers, regardless of evidence. This was seen in the famed Madonna v Guy Ritchie case where a mature child did not want to be with the mother and yet was ordered by Kaplan to return to the United States to be with her. Kaplan cherry-picks court-appointed guardians by going through her donors lists. She applies a double-standard "rule of evidence" for men and women, and has a weak grasp of the law in general. She writes sloppy and hasty decisions, often creating more ambiguity and opening up more opportunities for gapping divides in peace between former couples. It was alleged she had been reassigned based on a panoply of complaints, where she sat for a long while as Statewide Coordinating Judge for Family Violence Cases-- despite once testifying against a victim of domestic violence-- citing there were no marks to prove it. But what was thought to be a means of keeping her under a watchful eye within a padded room appears more to have been a wait, sit tight, and forget game. What can be sure to make her late mafia dad proud, the 'Teflon Donna' now sits as chief administrative judge of the civil term, first department.”* Kaplan is also on the ‘Judicial Committee on Women in the Courts’ and a card-carrying member/past president of the insidious and openly discriminatory New York Women's Bar Association. According to another NY attorney, who has filed various complaints about Kaplan to the Commission on Judicial Conduct: *“Her procedural foible is to mislead the public about her orders. She has a predilection for labeling initial orders as 'temporary' as a ploy to mislead the losing side to accept the order on consent. The litigant believes that the temporary order (for example for custody or support) can be modified later after trial, when in fact Kaplan intends for the temporary order to be permanent. When the litigant fires up the boilers and goes to trial for a permanent order, the burden of proof is unclear (in the case of custody -- initial award/best interests versus modification of an order/change of circumstances) to the litigant and sanctions/losses are the result. However, it is not clear whether this is the result of malevolence toward the general public or whether Kaplan is ignorant of the law of orders.”* Kaplan regularly perjures herself, as she did in the case of Schorr vs Schorr. She had accused David Schorr of violent behavior in court and, to defend himself, Schorr deposed Kaplan. Her court officer, Lieutenant Mazzella, testifying before Kaplan, who was on the stand before Kaplan, testified that Schorr had behaved properly “with no trace of agitation”. Kaplan then came out of chambers to testify that Schorr had been “red-faced”, and yelling violently. Schorr then exposed her lies by playing a recording of the proceedings that proved that Kaplan had perjured herself. Kaplan was so furious that she used her judicial powers to retaliate: she initiated a “collateral estoppel” complaint to the attorney grievance committee to have Schorr disbarred. That led to a lengthy and costly series of hearings that have still not ended. Kaplan seems to enjoy taking down alpha-male fathers. A case in point is her persecution of Dr. Eric Braverman, whom

she has blocked all access to his children for more than five years. Kaplan incarcerated him on Rikers Island for “civil contempt”, for allegedly removing a document from the court without authorization; and assigned a friendly receiver to extract \$5mn, and ensure he is totally ruined financially. [Kaplan’s biggest donor is the notorious Raoul Felder](#), who is the mother’s attorney in the Braverman case. Felder is a regular advocate in her court, and she rules [in his favor every time](#). Of further concern is her regular appointment of donors of her electoral campaign to state-funded positions like attorney-for-the-child and forensic evaluator. These appointments are supposed to be done by lottery, but Kaplan selects and rewards certain people on many more occasions than probability theory would view as legitimate. This is the case with her campaign donors Rosemary Rivieccio and Virginia LoPreto who are regularly appointed as AFCs in her cases, and enriched accordingly.

4. **Matthew Cooper (New York County Supreme Court/Appellate Term):** His background at the Teamsters has set the tone for Cooper’s abusive and wasteful judgeship. In 2001, Cooper was elected to the bench with no experience in matrimonial or custody cases, having been [chief legal counsel to the Teamster 237 for nearly two decades](#). His ‘election’ to the court is shrouded in secrecy as his campaign documents are sealed and not publicly accessible. Intoxicated by his power, Cooper screams in court. “He acts like the love-child of Mr. Burns and Grand Moff Tarkin,” commented one court reporter. Cooper often threatens parents that they will never see their child(ren) again unless they do exactly what he says. He threatens parents with incarceration if they do not submit to expensive drug tests, or pay his designated AFCs/ He uses his press contacts at the *New York Post* and the *New York Daily News* to humiliate and ruin litigants. He has set up a quid-pro-quo relationship with these tabloids, offering reporters like Barbara Ross and Julia Marsh juicy stories in return for positive press coverage of him. He then uses media pressure to intimidate and shame litigants into outcomes he desires. Cooper has been captured on video stating that he creates "printable sound-bites" to draw media attention to his cases, which, by law, are sealed matters. He has publicly called litigants "deadbeat dads," "bed-pooing cokeheads," "the shyster of smoked meat" and "fools." So arrogant is Cooper than he allows himself to be filmed on YouTube, stating that he "lives for threatening litigants" and [gloating about incarcerating fathers in the cases before him](#). However, whenever Justice Cooper feels threatened by potentially critical media attention, he turns nasty, behaving criminally to silence his opponents. He intimidates journalists by threatening to incarcerate them if they don’t hand over their electronic devices. He has also denied journalists the right to counsel, or to plead the 5th Amendment, after he has hauled them up to the stand. To protect himself, he falsifies the record with his court reporter, Jacqueline Glass. He also uses his friends in the First Department Appellate Division – especially Rolando Acosta and the recently retired Judge Saxe – to ensure his rulings are not overturned. He hides behind his absolute immunity from prosecution in state courts, afforded to him by the egregious US Supreme Court decision of *Stump vs. Sparkman*. New York taxpayers pay Cooper an annual salary of \$195,000 – which will rise by about \$10,000 on April 1, 2018. However, he may soon be held civilly liable for several million dollars, thanks to a pending case in the Federal Court of the Southern District of New York. In January 2017, [Judge Katherine Failla completed a hearing on allegations](#) of Cooper’s gross misconduct being made against him by NY attorney Anthony Zappin, who has been barred by Cooper from seeing his six-year-old

son, and persecuted through the press. To defend himself, Cooper allegedly misused public funds by using NY Attorney General Eric Schneiderman's office to represent him – an indication of how deep and wide the corruption in the family court system is. In February 2018, after more than a year considering the evidence, Judge Failla issued a decision that asserted that Cooper's actions were not protected by judicial immunity. However, she also bowed to pressure from the state judiciary and [granted a motion by Cooper to dismiss the motion](#). Failla's decision stated that:

New York law governs the substantive judicial immunity inquiry here, and a relic of that body of law appears to leave state judges briefly exposed for the very particular conduct at issue. Still, because Plaintiff's claims would necessarily require relitigation of material and decisive factual issues previously adjudicated in state court, this Court grants Defendant's motion and dismisses the First Amended Complaint with prejudice on collateral estoppel grounds.

Zappin has filed a motion to the 2nd Circuit for reconsideration.

Zappin has also filed a formal complaint to the New York State Commission on Judicial Conduct (CJC) against Cooper for engaging in extrajudicial communications with media outlets about pending cases. As shown later in this report, the CJC is a charade of accountability. It rarely investigates complaints, and has an execrable record of holding the feet of corrupt judges to the fire. In March 2017, Cooper retaliated against Zappin by having him thrown into Rikers Island jail for three days, for "filing a false report" against him.

In the fall of 2017, and in the wake of intense public criticism, and calls by the FCLU for his removal, the Unified Courts System removed Cooper from the NY Supreme Court bench and sent him to the Appellate Term. Some observers have seen this as a significant demotion. One attorney stated: "*He has gone from handling high profile, multi-million dollar divorces and abusing his power by incarcerating innocent parents, to reviewing small claims cases out of city courts. The Appellate Term is where they put poorly performing judges like Justice Ling-Cohen to ride out the rest of their term. Cooper has four more years on the bench, so he won't be moving anywhere else and he won't be hurting future litigants in matrimonial court anymore.*" However, Cooper has held on to a number of his existing cases, so he remains an enemy of many NY families.

5. **Dean Kusakabe** (Kings County Family Court). Incompetence, bigotry, cronyism and casual cruelty are Kusakabe's main characteristics. He came to the bench in July 2012 with no training as a judge. He was appointed by Mayor Bloomberg, who was trying to burnish his poor racial diversity record. Kusakabe's ignorance of the law was vividly demonstrated when he recently allowed the powerful attorney-mother of a petitioner-mother to represent her daughter, even though she was a principal witness in the case. This was a clear violation of the attorney-witness law (Rule 3.7 of the NYRPC) and case-law, established by the Second Department Appellate Division. As such, he violated judicial cannon Section 100.2 (A) ("A judge shall respect and comply with the law"). In violation of another judicial cannon (section 100.3 (B)(4)) Kusakabe is deeply biased in favor of mothers. In one recent case, he allowed unsupervised visitation to a mother, despite conclusive evidence that she was mentally unstable. Kusakabe is terrified of pro se litigants, whom he terrorizes. In one ongoing case, he delayed court proceedings by six months just to decide whether or not the father could relieve his attorney, and proceed pro se. Meantime, he denied that father any

contact with his daughter, without giving him any hearing on the allegations made by the mother. Kusakabe has a wholly inappropriate relationship with the taxpayer-funded Children's Law Center (CLC), whom he appoints as the attorney-for-the child in every case he takes. Like Morgenstern, he even has a mailbox openly on view in his courtroom for his correspondence with the CLC. He allows the CLC to testify in cases before him, in violation of the attorney-witness rule. He denies applications to disqualify the CLC, even when conflicts of interest have been proved. For example, he denied disqualification applications when it was proved that the mother's attorney was also employed by the CLC, or when the CLC was employing the babysitter of a subject-child. Kusakabe's calendar is managed by his court attorney, Saira Wang, whose previous job was as an attorney for the CLC, for which she worked for six years, first as an intern (2010), then as a trial attorney (2011-2013), and, from 2011 until March 2017, as an appellate attorney. Kusakabe continues to traffic every child to Wang's former colleagues at the CLC. On behalf of Kusakabe, Wang conducts numerous ex parte communications with the CLC -- in person, by telephone, and by email. These ex parte communications are a violation of the judicial canon to which Kusakabe is bound, specifically Section 100.3(B)(6): "A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers concerning a pending or impending proceeding." Kusakabe's bias towards the CLC places him in violation of judicial canon, Section 100.2 (A): "A judge shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary." Meantime, Kusakabe has amassed over 1,100 pending cases on to his docket. How can any judge get his head around that number of custody cases? As a result of this gross irresponsibility, Kusakabe regularly gets the names of litigants wrong. He sends orders to the wrong addresses, or just neglects to send them out. The orders he does send out are often ambiguous, or mis-spelled. He neglects to set trial dates for years, and when he does, he stretches trials out over many months, in violation of court rules, and judicial canons, that a trial must complete within 90 days of its start. The case of *Renz v Little*, for example, has still not concluded trial, nine years after the father had all contact with his daughter cut off, without a plenary hearing. Kusakabe also 'loses' documents that have been submitted to the court under sub-poena, especially when such documents do not support one of his arbitrary 'temporary orders of visitation'. According to two sources -- a retired family court judge and a family attorney close to his former partner -- Kusakabe is a fanatical Christian who reportedly gives ten percent of his income to the Church. The New York taxpayer rewards Kuskabe with a whopping salary of \$212,000 (a base salary of \$172,000 plus pensions and health insurance estimated at \$40,000) -- and this was due to have been increased by \$10,000 on April 1, 2018. In 2015, Mayor diBlasio extended his tenure, without any election, or public hearing, until 2025.

6. **Rachel Adams** (Kings County Supreme Court). Adams prioritizes three things in her courtroom: the sanctity of her orders; a bullying pressure on parties to settle; and the appointment and ingratiation of her favored 'professionals' who have donated to her election campaigns. Adams regularly fails to schedule mandated hearings prior to custody flips. She delays pre-trial proceedings for years. She neglects to issue decisions six months or more after the conclusion of trial (although she is mandated to release decisions within 60 days). In one case, she ordered a mother to undergo years of supervised visitation and ignored Appellate Division directions to reverse the order. Two kids are growing up without their mother as Adams delays a final order after trial. In one case, she put a father on "supervised visits" by the disreputable agency Comprehensive Family Services (CFS) for eight years -- enriching CFS with \$15,000, but deeply harming the child. She appoints Brad Nacht as 'attorney-for-the-child' in the vast majority of her cases. Nacht charges the parents an average of \$45,000 -- all thanks to Adams' appointment. It's no coincidence that [the firm](#)

[where Nacht worked, Hymowitz & Freeman, was a significant donor to Adams' election campaign.](#) In that same case, the attorney for the party to whom she awarded custody, was also a donor to Adams' campaign.

7. **Anna Culley** (Queens County Supreme Court): Daughter of Anthony Seminerio, a corrupt corrections officer and politician who was [convicted for influence peddling, and died in prison in 2011](#). In 2014, Culley ran on both Republican and Democratic tickets and won her judgeship unopposed. Her record on the bench shows scant regard for due process. In one recent case, she refused to enforce demands that the petitioner-mother produce records of her daycare business which the respondent-father paid for and assisted in starting for mother's benefit. Instead, Culley QDRO'd his pension, but gave him no credit toward his contributions to mother's business. In another ongoing case, Culley ignored an appellate division reversal of a contempt order against father. This would have allowed medical records to enter the case file and would have benefitted the father in the long run. Culley also refused to enter an order of visitation because the kids refused to see their father. Unless Culley can be removed sooner, [her term expires on December 31, 2028](#).
8. **Carol Mackenzie** (Suffolk County Supreme Court). Mackenzie has blood on her hands. She presided over the case of Dr. Richard Demato, inciting him to commit suicide, on April 30, 2013, the day before a trial was due to begin in front of her. In that case, Mackenzie had ordered 63-year-old Demato to pay his wife \$5,000, even before a trial had been held. When he was unable to pay, Mackenzie improperly jailed him. The three-month incarceration caused him to lose his medical practice as a podiatrist, his car, and his home. Dr. Demato also lost [any hope of fair treatment](#) at trial. Mackenzie callously registered the case as "*settled, abated by death*." In other cases, she refuses to order drug test results when documented history of drug use has been before the court and child custody, visitation and decision-making are being decided. She also threatens and verbally abuses attorneys and litigants. She storms out of the courtroom when her mistakes are being addressed. She refuses to conduct contempt hearings, despite being directed to by the Appellate Division. Without conducting hearings, she goes directly to sentencing, especially when she wants to incarcerate a party for "contempt". She ignores irrefutable evidence, well settled statutes and case law. She plays favorites; incorporates deliberate arithmetic mistakes to favor one party; and uses threats of incarceration to bully litigants into settling with unfair terms.
9. **Lori Sattler** (New York Supreme): This judge not only has suicide on her record of judgments, but the murder of a child. On 5/16/2018, Judge Sattler presided over a hearing in the case of Stephanie Adams-Nicolai v Charles Nicolai. The attorney for the child's father, Mr Charles Nicolai, warned the judge that Ms Adams was mentally unstable. Although Judge Sattler ordered the surrender of the subject-child's passport, she did nothing to protect the child from the mother. On 5/18/2018, Ms Adams took the child and jumped from the 25th floor of the Gotham Hotel in Manhattan. Both were killed. The murder-suicide led to significant [media coverage](#) and an outpouring of public grief and outrage. The murder of little Vincent would have been avoided had Judge Sattler erred on the side of caution and ordered either supervised visitation for the mother, or a transfer of custody to the father. The FCLU filed a complaint against Sattler to the FCLU for reckless negligence and a betrayal of her duty of care; calling on the CJC to bar her from presiding over any further custody cases, at least until a full investigation has taken place. The CJC took no action whatsoever.
10. **Jeffrey Sunshine** (Kings County Supreme Court): The most inaptly named judge in America, Sunshine is another judge who has presided over the tragic destruction of families. He was elected to this position in 2011, and his current term expires in 2024. He has

somehow risen to the powerful position of “supervising matrimonial judge”. The biggest stain on his record is his role in [the murder of a three-year-old-child and the suicide of his father, Dmitriy Kanarikov](#). According to an attorney connected to the case: *“During a typical divorce proceeding, the mother used the usual domestic violence accusations to cut dad off from his son. Dad freaked out as he never heard of anything like this before. He appeared before Judge Sunshine, who is a rubber-stamping bureaucrat. He granted an order of protection to [the mother] - as usual - with no proof of any actual violence of any kind. Outraged by the lies, Dmitriy obtained his son for an unsupervised visit and proceeded to go up to the top floor of a West 60th Street building. He flung his son off the top floor and then jumped after the son. The press followed Sunshine's orders. Dad was branded violent and deranged. [The mother] was branded the abused spouse. An important difference between Kanarikov and the typical American is that Americans behave like sheep. We are led around by rings in our noses and no matter how the court behaves, we go along with the scam no matter how absurd. But Russians are far harder than that, and the mother's attorney really screwed the pooch. I do not believe Sunshine received any kind of sanctions.”* According to another now-retired family court judge: *“This Judge was the primary reason that I stopped practicing law, and that is a shame because I used to love being a lawyer and was quite good at it. He forgot where he came from--a Court street lawyer -- like the rest of us trying to make a living in an ever increasing impossible profession. Cases I had before him seemed to be more about him than the poor souls I represented who had real problems. His ego gets in the way of administering Justice. His Courtroom, like many others, is more like a cattle call than a revered Courtroom. Almost every client I ever had, even if they received a favorable ruling, always said the same thing: "Is that the way all judges act'?"* As supervising judge, Sunshine has shown no leadership, and offers no relief to litigants who have been denied due process. In a recent case, he took punitive action against an attorney who had complained to him because a subordinate judge had not entered a decision on an application for a parent to see his child, after eight months of separation. Rather than treating such complaints seriously and confidentially, Sunshine immediately informs the judge about whom a complaint is made, often leading to retaliatory action.

11. **Terrence McElrath** (Kings County Family Court): A vicious bully, bigot and trampler of constitutional rights under the color of law, McElrath has a long pattern of misconduct. His worst period was a decade on Staten Island, when he trafficked hundreds of children into single-parent homes in order to amass Title IV-D funding. His hallmark is issuing bizarre orders, the most violent of which was jailing a parent when his child disappeared from foster care. He favors vague “temporary orders of visitation” (TOV), arguing that **inclarity** helps parties to resolve issues amongst themselves. In truth, he issues these TOVs because they are “appeal-proof”: the 2nd Department Appellate Divisions immediately dismisses any applications to appeal TOVs. Exploiting this loophole, McElrath and many other family court judges just keep on issuing TOVs for years, turning them into a permanent status quo. This causes chaos to families, and incalculable harm to children. In one recent case, he issued a TOV which took away two kids from a mother simply because her divorce judgment omitted a custody order in her favor. The father petitioned in front of McElrath, won, and then excluded the kids from the mother until they became adults. This caused a mother to have to prove her sanity by hiring a therapist, whom McElrath then refused to allow to testify. In another case, he issued a continuation order on a previous TOV that was no longer in effect, thus creating an entirely new status quo, without any hearing. In another ongoing case, he handed over power to his friends at the Children’s Law Center (CLC) to decide whether a child should even be allowed to receive a birthday card from her father. When the case became too hot in social media, he passed it over to Judge Kusakabe, to

ensure that any trial was further delayed. Meantime, the child is still not permitted to receive any gifts or letters from her father, and there is no prospect of any trial. In breach of judicial canons, and constitutional case-law, McElrath holds 'ex parte' hearings that exclude the party he disfavors. This practice is a violation of judicial canon, section 100.3(B)(6) ("A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers concerning a pending or impending proceeding.") McElrath's ex parte hearings are usually done through his law secretary, Karen Cortes, who regularly meets with the CLC and the favored party – but not the losing party or their attorneys. In those rare conferences where all parties are present, Cortes tells the assembled group: "I am the Judge now", issues arbitrary orders herself, and keeps no record of the conference proceedings. McElrath does not read motion papers from litigants whom he dislikes. He neglects to provide a hearing for years, in violation of the judicial canon to provide all parents with a prompt and comprehensive hearing. He has a vengeful spirit, punishing litigants who he believes to have written negative reviews on sites like therobingroom.com (which he refers to as "the 'I hate my judge' website"). In one case, he falsely accused a father of posting online his private address, and then issued an order depriving the father of any access to his child. Before the father's attorney had a chance to object, McElrath suddenly adjourned proceedings for six months. He bullies litigants, regularly interrupting them with the mantra: "The way the rules work here, is when I talk, you listen!" McElrath has an inappropriate partnership with the CLC, allowing their attorneys to testify, in violation of the witness-advocate rule, and then blindly following their recommendations on custody. He also has a cronyistic relationship with Comprehensive Family Services, sending them hundreds of thousands of dollars worth of business in supervised visitation. McElrath has been a leading advocate for judicial pay raises, forcing the NY taxpayer to fund a hike in judges' pay that, since April 1, 2012, has raised his salary nearly \$60,000 a year, to \$255,000 -- with another \$10,000 raise due to kick in on April 1, 2018.

12. **Judith D. Waksberg** (Kings County Family Court): "*Waksberg is a wax figure on the bench*", says one leading family court attorney. "*I don't detect a pulse. Too much formaldehyde.*" Appearances may be deceptive though as her actions have caused havoc in numerous families. No more so than what she did to do a young boy, whom she continues to separate from her father, Lee Carda. In that case, she modified a prior order, from the atypically reasonable Judge Michael Katz, that had allowed the little boy unsupervised access to Mr Carda. Waksberg changed that to supervised visitation, without any hearing on the motion, and effectively endorsing mother's alienating behavior. She then took no action when the mother failed to make the boy available for visitation, and turned a blind eye when she moved out of New York to Florida. What Waksberg did do was order a torturous forensic evaluation, costing the parents \$15,000, and forced the father to pay 75% of that. She then withheld the final report from the father and his attorney. And when the mother failed to bring the child to therapeutic visitation, she did nothing. Terrified of publicity, she instructs her court officers to stop people coming into her courtroom, and harasses journalists. She is also slovenly in her distribution of key items of evidence, such as forensic reports. Appointed by NYC Mayor Bill DiBlasio, Waksberg came to the family court bench in January 2017, having received no formal judicial training in family court matters.
13. **Clark Richardson** (New York County Family Court): First appointed to the Family Court in 1995, a graduate of Yale University and Cornell Law School. Judge Richardson was a former borough chief in the Family Court Division of the New York City Law Department. Reappointed August 2004 and August 2014. A hand-squeezing apparatchik, he will never permit an inquiry into the truth behind a case. Rather fluent in legalese, he can shape any

outcome he wants using rules of evidence and procedure. He allows attorneys to lie openly in their colloquy and in their papers with no sanction whatsoever. Supervising various luminaries in Manhattan Family Court (like Support Magistrate Weir Reeves), anything is possible as long as it comports with political objectives like overcharging fathers for child support and removing children from innocent families.

14. **Elizabeth Barnett** (New York County Family Court): Appointed as a Family Court Judge in February 2015, she is a graduate of the College of Mount Saint Vincent and received her law degree from Gonzaga University School of Law. Prior to her appointment, Judge Barnett was an associate at law firms, a solo practitioner, and worked for the New York State Unified Court System for 22 years in various capacities including Court Attorney, Deputy Counsel to the Chief Administrative Judge, Administrator of Education and Training, Court Attorney-Referee, and Chief Counsel for the New York City Family Court. Appointed February 2015. According to one family court attorney she is *“Incredibly dense and inflexible, any outcome is possible with this judge. In Barnett's courtroom, a parent can accuse the other parent of what the first parent is guilty of and get away with a child to the exclusion of the other parent. Barnett is a strict adherent of the power of the law guardian so any lawyer picked to represent the child runs her courtroom. One must be especially prepared and on one's toes to appear as a litigant before Barnett. Fake-outs lurk at every spoken word.”*
15. **Fiordaliza Rodriguez** (Bronx family court): Appointed to the Family Court in February 2015. She graduated from John Jay College of Criminal Justice and received her law degree from the CUNY School of Law. She previously worked for the New York City Administration for Children's Services, was a solo practitioner and most recently served as a Court Attorney-Referee in Family Court, Kings and New York County. Appointed February 2015. Rodriguez benefits the family court machine by extending and protracting cases for years. Cases evolve endlessly under her watch, and results are always mother-centered. Rodriguez tends to view all parents as abusers and all children as needing help and protection of a court. The result is a population of children who hold their parents in disdain and who become oppositional and defiant as the years go on. She is a menace to society.
16. **Mildred Negrón** (Queens County Family Court): First appointed as an Interim Civil Court Judge in March 2016, Judge Negrón graduated from CUNY City College and received her law degree from CUNY School of Law. She formerly served with The Legal Aid Society, Juvenile Rights Division for over 10 years, having served as Deputy and Assistant Attorney-in-Charge of the Queens and Manhattan Offices, respectively. Prior to her appointment in December 2016, Judge Negrón was a Court Attorney-Referee for 13 years in Kings County and Queens County Family Courts. Negrón is the ultimate horror show on the bench, ranking with Esther Morgenstern and Matthew Cooper. Known as 'Millie' to her friends, Negrón crafts anything she wants, during colloquy and during hearings. Many litigants say that Negrón is “a body-language judge”: she determines a person's “integrity” by their body language, and then reaches favorable decisions for that person. Negrón turns a courtroom into a black box. A stream of facts yields the opposite result in most cases. People speak about how family court results are not predictable, and Negrón lives up to that expectation in every decision. Another menace to society.
17. **Catherine DiDomenico** (Richmond County Supreme Court): First appointed to the bench in January 2005 as an Interim Civil Court Judge, she was then appointed to the Family Court in January 2006. Judge DiDomenico is a graduate of Fordham University and received her J.D. from Fordham Law School. Prior to her appointment, she served as an Administrative Law

Judge, as an Impartial Hearing Officer with the New York City Board of Education, had her own practice, was an associate for a private firm and was a federal law clerk. Appointed to the Family Court January 2006. Reappointed February 2007; February 2017. (Formerly appointed to the Interim Civil Court January 2005). Here is yet another Fordham graduate who started her judgeship by having to refer to her manuals, and is now able to screw litigants on the sly. DiDomenico's courtroom is a terrifying hall of smoke and mirrors. She helps her desired winner build a case based on hearsay and colloquy, and then holds a trial where her decision has already been made. DiDomenico will use anything as a weapon in her decision against a parent. For example, if a parent is bankrupt, then DiDomenico will use this against a parent in a custody decision (that mismanagement of money means the parent will mismanage the child). Abrasive, condescending, non credible and manipulative, it is very hard to find a cogent decision anywhere among her decisions and orders. Typically, in deciphering her orders, the opposite is the truth from what DiDomenico decided.

18. **Carol Goldstein** (New York County Family Court): Appointed to the Family Court in April 2015. She graduated from Brandeis University and received her law degree from Brooklyn Law School. Prior to her appointment, Judge Goldstein served with the Legal Aid Society for almost 20 years, primarily in the Juvenile Rights Division. For the past 17 years, Judge Goldstein has been a Court Attorney Referee in Family Court in several counties, most recently in Manhattan. Appointed April 2015. A dimmer wit does not exist in the New York City family court system. Unwilling to consider facts presented to her, Goldstein misinterprets most of what she hears from lawyers and litigants. More importantly, she is unable to interpret orders entered in any litigant's case. For example, if a parent has custody and authority to decide, for example, a child's education, Goldstein will usurp that authority and dictate to the parent what education the child will get. Goldstein will then add her interpretation of what parenting time means, and will place parents into a Kafkaesque situation that leads to more litigation and more waste of resources placing both parents at perpetual risk of contempt. A sweet persona on the bench with disastrous long-term results makes Goldstein a serious menace to society.
19. **Sarah Cooper** (Bronx county family court): Appointed as a Family Court Judge in January 2012; a graduate of the State University of New York at Binghamton and received her law degree from Cardozo School of Law. Prior to her appointment, she practiced in Family Court for 15 years, having worked for the New York City Administration for Children's Services and as a Court Attorney Referee. She is the female version of Matthew Cooper. Like her namesake, she specializes in torturing innocent parents in her courtroom. This judge mastered maligning the law and shaping it to suit her objectives from her time as a child protective apparatus employee. Cooper brings with her a passion for remanding children into the care of the state and holding parents at arm's length from their children. A rubber-stamper for the government, Cooper has no place deciding the futures of our families.
20. **Anne-Marie Jolly** (Queens Family Court): Ain't nothing jolly about this Grinch. Appointed as a Family Court Judge in September 2010. She is a graduate of Boston University and received her law degree from Albany Law School. Prior to her appointment, Judge Jolly worked for the Office of Court Administration in various capacities including Counsel and Chief of Staff to the Administrative Judge of New York City Family Courts, Deputy Chief Magistrate to the New York State Family Court, and Court Attorney Referee in Family Court. Prior to that, she was with the Legal Aid Society's Juvenile Rights Division for eight years. Appointed September 2010; reappointed May 2011. As with any veteran of children's

rights divisions, Jolly brings to the bench an eye for extending a case. Motions to dismiss frivolous petitions do not work in Jolly's court. Adjournments last for years and parents lose access to their children. This is a sweetly smiling judge with an axe to grind against bad anyone she thinks is a “bad parent.”

21. **Joan Piccirillo** (Bronx County Family Court): Appointed to the Family Court in July 2012. She received her undergraduate degree from Waynesburg University and her law degree from Touro College School of Law. Prior to her appointment, she was in private practice for over 20 years specializing in family law, and served as Principal Court Attorney in Family Court and Supreme Court. Appointed July 2012. Piccirillo picked up most of her policy-driven decision-making from Judge Fitzmaurice, a former nun. Piccirillo's decisions are also strange and unpredictable. She leaves lawyers and litigants baffled as to what reasoning was used to arrive at decisions affecting children. Her term is up in 2020.
22. **Michael Milsap** (Bronx County Family Court): Another officer from Bronx’s inferno, he was appointed as a Family Court Judge in February 2015. He is a graduate of the University of Wisconsin – Eau Claire and received his law degree from Indiana University School of Law. Prior to his appointment, he worked for the Legal Services Organization of Indiana and the Prisoner's Legal Services of New York, as well as the New York City Human Resources Administration as an Assistant Supervisor in the Office of Legal Affairs. He most recently served as a Support Magistrate in Family Court for 21 years. According to one family-court attorney: *“There are few words that can describe Milsap: offensive, arrogant, unpleasant, divisive and the synonyms can go on. This is a judge with the most haughty attitude among the city's judiciary. He cannot help but to look down his nose at anyone who appears in his court. Milsap offers strange reasoning in his findings and decisions which indicates he is an objectives-driven judge. The end justifies the means – especially when that means more Title IV funds for trafficking children into foster care, or single-parent families. Rubber-stampers get appointed in this bizarre system of judicial selection in New York, and Milsap would be the first in line to be selected for a family court judgeship.”*
23. **Stephen Bogacz** (Queens County Family Court): First appointed to the Family Court in March 1995. Prior to his appointment, he took a salary from the Family Court Division of the New York City Law Department for nearly twenty years including as First Deputy Chief. Judge Bogacz is a graduate of Fordham College, received his Masters from Fordham Graduate School, and his J.D. from Fordham Law School. Reappointed September 1995; September 2005; September 2015. According to one family-court attorney: *“No judge better represents the political establishment that governs the family courts than Bogacz. Ever cautious about surviving another reappointment, Bogacz appears to thoroughly enjoy screwing a parent out of a child. Fordham Law School appears to teach its graduates well as to how to shape the law and to make convincing arguments that are opposite to the facts adduced at a hearing.*
24. **Margaret McGowan** (Queens County Supreme Court). Treating due process like a toilet, McGowan holds many of her “pre-trial conferences” in chambers or table-side, with no court reporter to make a record. She assigns counsel with no regard to financial ability and coerces settlements by taking away rights from her intended loser, usually the father.
25. **John Hunt** (Queens County Family Court). A man of unknown pedigree except for his St. John’s education, he railroads kids as a juvenile delinquency judge. He always sides with the prosecution (corporation counsel). He is the go-to judge by family-court insiders to flip custody and impose ridiculous “temporary orders”, followed by transfers to referees. In one

case, he isolated the father from the child causing the child to abandon the mother. In another case, he caused the loss of a daughter by a mother by siding with assigned counsel. He leans on the support of his supervising judge, Carol Stokinger, to ensure he is unaccountable for his actions. The pattern of his rulings is not one that denigrates the reputation of the court, and as such violates judicial canon Section 100.2 (A) (“*A judge shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.*”)

26. **Eric Prus** (Kings County Supreme Court). Arrogant and obnoxious to litigants, Prus regularly fails to enforce stipulations entered into by the litigants in his own court. In one case, Prus had the father arrested in the courtroom and entered an order of protection where he could not even see his two daughters. In another case, he refused all applications by the father even though he was the custodial parent. He then jailed the father for failing to follow an oral order and caused his savings to be placed into escrow for many years – ruining him in the process. His conduct is unbecoming of a judge: he recently yelled at a lawyer regarding a statement of net worth; screamed at a father about paying money; and bawled at a mother about visits. This conduct is in violation of judicial canon, Section 100.3 (B)(3) (“*A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity*”). To top it all off, he regularly falls asleep during hearings.
27. **J. Mabelle Sweeting** (New York County Family Court). In an unopposed ballot, Sweeting was elected in November, 2014, for a term that expires in 2025. In the matter of Scollar v Altman, she recklessly endangered the safety of an eleven-year-old girl by denying the application of the attorney for the child, Philip Schiff, to restore custody to the biological mother. Instead, Sweeting directed the child to return the child to the custody of Alison Scollar, who had just been convicted of grand larceny and fraud. She claims that “there will be no delays in my courtroom”, but the reality is very different: trials take years to commence. Various court attorneys have affirmed that Sweeting always favors the mother regardless of the evidence in favor of the father. Like many of her judicial colleagues, she works on the principle that a father is guilty until proven innocent, while a mother is innocent even when proven guilty. This is a violation of two judicial canons: Section 100.3 (B)(4) (“*A judge shall perform judicial duties without bias or prejudice against or in favor of any person*”) and Section 100.3 (C) (1) (“*A judge shall diligently discharge the judge’s administrative responsibilities without bias or prejudice*”). Born in Harlem, Sweeting got her law degree from Rutgers University School of Law. She then worked in the District Attorney’s office and as a law clerk. Her court attorney, BB Liu, is a recruit from the Children’s Law Center – a cornerstone of NYC’s family-court mafia – and helps ensure that ‘mommy always wins’.
28. **Douglas E. Hoffman** (New York and Bronx): A very powerful figure in the family court system, Hoffman is the supervising judge for the New York County Family Court. He has held this position since 2009. He was reappointed by Mayor Bill de Blasio, without any public hearing, in April, 2015, for a term that will expire in 2025. He also works as an acting justice in the Bronx Supreme Court. In Manhattan, Hoffman has taken on many of the cases from disgraced judge Gloria Sosa Lintner, who was removed from the bench in January 2016 (see below). However, he has continued much of her family-destroying conduct. This is especially true in the Matter of Altman, where he failed to move the case forward, and to give the parties any fair and comprehensive hearing. This is a violation of the following New York judicial canons: Section 100.3(B) (6) (“*A judge shall accord to every person who has a legal interest in a proceeding, or that person’s lawyer, the right to be heard according*”).

to law”) and Section 100.3(B) (7) (“*A judge shall dispose of all judicial matters promptly.*”) One example of his erratic and child-damaging conduct was his openly negligent refusal to follow the pleas of both the subject-child, and her attorney Philip Schiff, to return custody to the biological mother. In May, 2017, Hoffman admitted that the child had expressed her wishes to him, but said that he would not act on them until the outcome of a trial. Another example of his irresponsible, and suspicious conduct was in his appointment of Dr. Sara Weiss as a forensic evaluator in a case where all parties – including the attorney for the child, Mr. Schiff – opposed her appointment, because of potential harm to the subject-child. When asked by the FCLU why he had ignored the requests of the child and all parties by appointing Dr. Weiss, and whether he had any business or personal relationship with Dr Weiss, Judge Hoffman declined to respond. According to an investigation by [the Child Victims of the Family courts](#), Hoffman has “*committed grave errors in legal adjudication which were allowed to go unchallenged because of clear conflict of interest relationships on the Appellate Court and courts were closed to court watchers, violations of the open court system of New York. He is also following the same malignant process of cronyism, overlooking multiple forms of violations; appointment of questionable experts, a get along to go along practice of local politics of an immoral, unethical, improper level of legal practice.*”

29. **Adetokunbo Fasanya** (New York County Family Court). ‘Ade’ earned his Bachelor of Laws from the University of Ife, Nigeria, and was appointed as a judge in 2013, with no apparent experience in New York family law. Since Mayor di Blasio appointed him in 2015, without any public hearing or election, his case record shows that he always favors the mother no matter the facts against the mother. His term is due to continue to 2024.
30. **Sharon Bourne- Clarke** (Kings County Family Court). She ignores drug tests, meaning that addicts regularly get custody of the child. She hands out a self-righteous ‘Bill of Rights for Children’ to litigants, but then denies basic rights of due process. She imposes her version of evidentiary law, as long as her desired winner emerges. She shows very limited knowledge of the rules of motion practice, which she applies in violation of judicial canon section 11.3(B) (“*A judge shall be faithful to the law and maintain professional competence in it*”). As one example of this pattern of violations, she allows her assigned counsel at the Children’s Law Center to take months to file opposition on the smallest of procedural matters. Her refusal to heed drug tests is worrying. As one family court attorney reported in May 2018: “*Mom died and the case was kicked back to Bourne Clarke. Dad waltzes in to get custody and I greet him at the courtroom door. I announced dad's drug use (benzodiazipene, THC, methadone, phenylcyclidene and heroin) and the prior judge ordered a drug test which dad failed with this five-drug cocktail. Bourne Clarke said this test was a violation of the man's reasonable expectation of privacy, and forced the maternal grandparents to surrender the child to the dad. Then dad took out orders of protection to keep the extended family away from the six year old female child.*” Bourne Clarke claims to encourage African American fathers to carry out their paternal duties, but there is no evidence to support this. Her negligence in imposing interminable, illegal restrictions on children’s access to both parents is ever more apparent. In the matter of Edmund Welch vs Diana Taylor, she restricted the father to two hours a week parenting time with his son, even though the mother had an ACS report ‘indicated’ against her, and was later incarcerated for assaulting an ACS officer. Bourne Clarke’s order meant that the subject-child did not see his father at all for two holiday periods. She is a regular no-show to scheduled hearings, and fails to advise litigants of her absence – adding to the financial and emotional burdens on the children and parents for whom she is responsible. Her only redeeming act was a ruling to

disqualify the Children’s Law Center from representing the child in the Welch v Taylor case, when the evidence of their bias, negligence and misconduct became overwhelming.

31. **Theresa Ciccotto** (Kings County Supreme Court): Incompetence, and a dire lack of understanding of the law marks this cheerful oaf. Elected to the bench in 2013, promising that she was “one of us”, Ciccotto makes up the law as she goes along, especially in relation to relocation by one of the parents. In order to avoid a record being made of her work, she favors “table-side negotiations” between her and the attorneys. She praises parents who spend a lot of money on attorneys, citing that as evidence that they are good parents. And when a targeted parent’s attorney does not go along with her recommendations for a settlement, she tries to drive a wedge between that parent and their attorney, in order to force a settlement,
32. **Maria Arias** (Kings County Family Court): In all her cases, she sides with her appointees, particularly the corrupt, taxpayer-funded Children’s Law Center. In numerous cases, Arias denies parents due process by imposing a parenting plan, without a hearing, and setting a trial at least 12 months in the future. She makes arbitrary rulings such as punishing parents for taking vacations with their children.
33. **Hope Schwartz Zimmerman** (Nassau County Supreme Court): Creates false narratives to justify her punitive financial judgments. Accepts allegations of domestic abuse made by mothers as a matter of fact, without any investigation.
34. **Tracey Bannister** (Erie County). Attorneys regularly complain of her off-the-wall legal decisions. Uses police officers to intimidate litigants she dislikes. [In one case](#), she based a ruling to deny a father access to his children on her disapproval of a parent’s “Biblical Christian beliefs.”

DISHONORABLE MENTIONS

Janet DiFiore: As New York’s Chief Judge of the Court of Appeals, she has received many complaints about the school for scoundrels she runs. Yet she has done nothing to ameliorate the NY Unified Court System. DiFiore took over her position from Jonathan Lippmann in 2016 with the promise of an Excellence Initiative. She promised “*operational and decisional excellence in everything that we do [and to] fairly and promptly adjudicate each of the millions of cases filed in the New York State courts every year.*” [According to her 2017 application for increased funding from the NY Legislature](#): “*The initial focus of the Excellence Initiative has been the elimination of delays, which in themselves far too often constitute a denial of justice.*” However, she has failed to provide any valid data to suggest she has made any progress here. She claims that “*backlogs have been reduced in the Family Court. For example, since the beginning of the Excellence Initiative, there has been a 54 percent reduction in the number of support-related cases over 180 days old in the New York City Family Court.*” However, she failed to provide any independently verified data to back this up, and doesn’t even try to claim that the backlog in custody cases – and the systematic denial of due process -- has been addressed in any way. Parents like Rik Little have not seen their children in a decade! DiFiore’s Excellence Initiative has proven a complete sham. Her failure to reform the Commission on Judicial Conduct, which is populated by judges and attorneys with no inclination to provide judicial oversight, is especially egregious. The same is true for her failure to provide oversight for the Attorneys for the Child she blindly finances. The mother of three, she was given a copy of this report, but has failed to respond to it, let alone to launch an independent public inquiry into the damage being caused to children by the family courts.

Carol Sherman: A veteran jurist who has been on the bench since 1998, she is now the supervising judge of Queens Court. She is the founder of the powerful Children’s Law Center, which receives hundreds of millions of dollars in taxpayer funding to provide ‘attorney-for-the-child services in Queens, Bronx, Staten Island, Kings and Erie county family courts. Sherman and executive director Karen Simmons ensure that almost every child is represented by CLC attorneys – a clear conflict of interest which requires immediate investigation by the Office of Court Administration and the Department of Justice. Sherman has also failed to investigate the hundreds of complaints made against attorneys and judges for whom she is responsible. As such, she has neglected the administrative responsibilities she has sworn to uphold, as part of New York’s 22 NYCRR §100.3(C). Sherman was the subject of a scathing *New Yorker* feature in August 2017, entitled [When should a child be taken from his parents?](#), which heartbreakingly charted how Sherman permanently separated a child from both her parents. The piece also took the lid off Sherman’s links to a foster-care industry, which is costing NY taxpayers tens of millions of dollars – or \$62,000 a year per child.

Amanda White: As supervising judge in Kings County Family Court, she has ignored or deflected thousands of complaints about the judges cited above, allowing mistreatment of New York families to run amok. She also perpetuates the Children’s Law Center racket by instructing her judges to appoint CLC attorneys on every case, and giving the CLC offices within the court-house, and many other material privileges.

Gloria Sosa Lintner: Retired from the bench in 2016 further to irrefutable evidence of her unfitness to hold a gavel, the public outrage at her misconduct is an inspiration for other citizens seeking to expose and oust corrupt and unfit judges. Sosa Lintner was appointed to the New York Family Court bench in 1988. For nearly 30 years, she handed down numerous rulings which adversely affected children and their parents. Perhaps [her most notorious ruling was in *Matter of Scollar v Altman*](#), where Sosa Lintner tried to win a place in legal history, by redefining parenting. Asserting that “biology is irrelevant”, she transferred custody of a young child from the biological mother to that woman’s female partner, even though the latter faced many personal challenges of psychopathology and criminal behavior. This particular transfer was one of many such flips ordered by Sosa Lintner. She treated litigants and the public with dictatorial contempt, often barring the public from entering her courtroom. Sosa Lintner is the subject of a detailed investigation by [the Foundation for the Child Victims of the Family Courts, which has found](#) that she “*demonstrated a pattern of finding in favor of the client whom she evaluated to be the parent with the highest/most stable income.... We found that, for Sosa Lintner, “having the most stable income” meant that that parent would hire whatever “connected” attorney, psychologist, parent coordinator who uniformly could wage a virtual war against the parent who asserted concerns and claims against the parent, who had a secret to hide, related to the family interaction and or specifically the dealings with the child, (children). Investigation into the custody transfers ordered by Sosa Lintner, sans objective fact, made clear a pattern of life threatening circumstances to the subject children, ignored in favor of the Ipse Dixit/Discretion standard which prevails in Family Court and is not subject to Appeal.*” Although she no longer terrorizes our families, she still receives a whopping pension, at the expense of New York taxpayers.

Elizabeth Shollenberger (White Plains): In 2017, this morbidly obese jurist turned the NY judiciary into a laughing stock and fleeced the taxpayer out of hundreds of thousands of dollars. [As reported by the NY Post](#), “*Shollenberger’s 400-pound weight prevents her from being able to climb the three steps to her courtroom bench.*” Unable to control her eating she took “indefinite medical leave”, while taxpayers continued to pay her \$225,000-a-year salary. After a complaint to the Commission on Judicial Conduct by the FCLU, and other media coverage, Lawrence Marks, the chief administrative judge of the NY courts, ordered on May 2, 2017 that “*no additional judicial*

matters shall be assigned to Judge Shollenberger.” However, she has continued to receive her salary, and remains entitled to pension and other benefits.

Daniel McCullough (New York County): Fat and bloated is a trademark of the NY judiciary, as also exemplified by this leech of the public purse. **McCullough failed to show up to work for over three years** because his morbid obesity kept him in the hospital and rehab center. All the while he was collecting a \$193,000 salary. Although he was forced to retire in 2017, he will not have to repay the salary he received without working, and will still retire with a hefty pension.

Patricia Henry (Kings County Integrated Domestic Violence): Denial of due process and legal kidnappings were the hallmark of this disastrous jurist. Her conduct mirrored that of IDV neighbor, Esther Morgenstern. In the wake of intense criticism, she either resigned or was removed from the bench in 2016. She is missed by nobody.

Gerald “Gerry” Garson (Kings County Supreme Court): A rare case of a corrupt judge who was exposed and removed from the bench. Garson was convicted in 2007 of accepting bribes to manipulate the outcomes of divorce proceedings. He was imprisoned from June 2007 until December 2009. In the bribery scheme, a "fixer" told people divorcing in Brooklyn that for a price he could steer their case to a sympathetic judge. After the fixer received a payment, he would refer the person to a lawyer contact of his, who had given Garson drinks, meals, cigars, and cash—accepting (and receiving) preferential treatment in return. The fixer and the lawyer would then bribe court employees to override the court's computer system, which was programmed to ensure that cases were assigned to judges randomly. Instead, they would have the case assigned to Garson. Garson, in turn, would then privately coach the lawyer. He would tell him questions the lawyer should ask of witnesses in the case before “Gerry” Garson, and arguments that the lawyer should make to Garson in court. Garson would then rule in favor of the lawyer. Garson was indicted in 2003, on the basis of video surveillance of his judicial chambers, and recordings made on a body wire worn by his "favored" lawyer. At his four-week trial in 2007, he was found guilty on one count of accepting bribes, and on two lesser charges of receiving rewards for official misconduct. However, the court system did nothing to address the impact on NY families. There was no wholesale re-examination of Justice Garson's cases. Of the 100 or so people who complained to court officials after the news broke, [only three had their cases reopened by Jacqueline Silberman](#), NY's administrative judge for matrimonial matters.

Peter Skelos: Brother of disgraced former Majority Leader of the New York State Senate Dean Skelos. Peter Skelos played a Godfather-like role in the 2nd Department Appellate Division until his brother's arrest on federal corruption charges on May 4, 2015, including "conspiracy, extortion, and solicitation of bribes". FBI investigators caught Skelos on wiretaps boasting of his power. His son, Adam Skelos, was also charged in the case. Dean Skelos vacated his post as Senate Majority Leader on May 11, 2015, a week after being charged. His brother Dean was later convicted by a jury for seven counts of honest-services fraud, extortion and money laundering, although that is now being re-tried. Dean Skelos' arrest led to his brother Peter's resignation from the judiciary on July 31, 2015. He took a lucrative job with [Forchelli, Deegan, Terrana, where he directs the “Appellate practice group”](#).

Victor Alfieri (Rockland County). Elected to the court in 2006, he routinely jailed parents for not paying the other side's legal bills, even when they were indigent. This was what he did with [Daniel Bruen](#). Alfieri also routinely threatened parents who requested a jury trial, telling them he would punish them with harsher sentences if a jury found against the parent seeking the jury trial – a pattern of intimidation and revenge that permeates the NY family court machine. Mercifully, Alfieri was stood down from the bench at the end of 2016.

DISHONORABLE MENTIONS: JUDICIAL OVERSIGHT BODIES

The Commission on Judicial Conduct (CJC): *Quis custodiet custodiet?* The CJC is supposed to be that body, entrusted with the vital task of providing oversight on New York's judges. Yet it has proven to be a sham organization which should be shut down and replaced. The CJC is a fraudulent front dedicated to protecting the interests of judges, rather than protecting the public from judicial fraud, waste and abuse. The foxes are guarding the henhouse. The CJC fails to investigate facially meritorious allegations, and send the same copied-and-pasted dismissal letters from clerk Jean Savanyu, stating: "*Upon careful consideration, the Commission concluded that there was insufficient indication of judicial misconduct to justify judicial discipline.*" The CJC's routine failure to investigate valid complaints is a violation of statute (Judiciary Law 44.1).

The CJC needs to be shut down and replaced by a truly independent body providing judicial oversight. This need is made even more urgent since New York citizens have no other avenue to assert our constitutional rights. We cannot sue judges in state courts because they have judicial immunity. We cannot seek relief in the Federal courts because of the 'family relations exception', afforded to state courts under the Younger precedent. And we cannot even gather evidence of misconduct, since cameras are prohibited in courts, and records are kept under seal.

Three officers of the CJC are mainly responsible for the CJC's failure to fulfill its statutory role: **Robert Tembeckjian**, the CJC's "Administrator and Counsel"; **Angela M. Mazzarelli**, who serves on both the 1st Department Appellate Division and the CJC; and **Rolando T. Acosta**, who also serves on the 1st Department Appellate Division and, [until June 30, 2017, was an officer of the CJC.](#)

Robert Tembeckjian is married to Barbara Ross, a former prominent New York court reporter for *The Daily News*. In 2007, Mr. Tembeckjian and Ms. Ross jointly sued Uno's Pizza for loss of consortium after Ms. Ross claimed she fell on trash outside the restaurant. See *Barbara Ross and Robert Tembeckjian v. Betty G. Reader Revocable Trust et al.*, Index No. 17038/2017 (Sup. Ct. Bronx Cnty.). Ms. Ross is the subject of a number of lawsuits, related to abuse of judicial power. Mr. Tembeckjian has attempted to intervene to obstruct justice, hamper and frustrate these lawsuits involving his wife. One of these cases being considered by U.S. Southern District Judge Katharine Failla [*Zappin v Cooper*, No. 16 Civ. 5985 (KPF)] and specifically relates to judges under the CJC's watch (*e.g.*, Justice Matthew Cooper) improperly using Ms Ross and other reporters to deliberately leak sealed information to the media to broadcast stories dear to those judges hearts. Given the need for the CJC to both be independent and to appear to be independent, there is no reason why Mr Tembeckjian can continue to act as 'Administrator' and a leading investigator of the CJC while being implicated and implicitly condoning judicial misconduct.

Mr. Tembeckjian has apparently broken the law by providing *ex parte* information to the judges about whom the CJC receives complaints. For example, Tembeckjian sent an *ex parte* letter, dated January 4, 2017, to Supreme Court Justice Matthew Cooper, imparting confidential information about an investigation into Justice Cooper, prompted by a complaint to the CJC by Anthony Zappin Esq. Justice Cooper sought to use the January 4, 2017 letter from Tembeckjian as evidence in his favor in litigation before Federal Court Justice Failla. This can be seen in the papers submitted on January 19, 2017 to Justice Failla by Justice Cooper's counsel, Assistant Attorney General Michael A. Berg. Given that Tembeckjian had made himself a party to this matter, with clear bias in favor of Justice Cooper, Tembeckjian acted with a clear, personal vested interest which makes his position at the CJC untenable. Tembeckjian is in violation of [Attorney Rule of Professional Responsibility 1.7](#), which states: "*A lawyer shall not represent a client if a reasonable lawyer would conclude ...that there is a significant risk that the lawyer's professional judgment on behalf of the client will be adversely affected by the lawyer's own financial, business, property or other interests.*"

Accordinging an internal source at the CJC: *“It’s the pattern and practice within the CJC that our investigators first ask those judges by quiet telephone calls: ‘How would you like me to get rid of these complaints’. They then seek the judge’s permission and approval for ‘getting rid’ of those complaints.”* This is indeed how things work at the CJC, under Tembeckjian’s ‘administration.’

Let us move on to the misconduct of Justice Acosta. In the court papers filed by Mr Zappin to US District Judge Failla on June 14, 2017, Zappin, who was then a licensed NY attorney, affirms:

Justice Rolando Acosta is a member of the Judicial Commission and reviews all complaints as required by law. This means that Justice Acosta was necessarily wearing two hats with respect to Zappin v. Comfort – he was deciding my complaint against Justice Cooper filed in the Judicial Commission at the same time he was presiding on the panel in the Appellate Division ruling on the propriety of the Sanctions Decision. This, in and of itself, is a conflict of interest, as a decision in one case would no doubt affect the outcome in the other regardless of the merits. However, the conflict of interest is exacerbated by the fact that the allegations in the Judicial Commission complaint against Justice Cooper and Mr. Tembeckjian’s wife, if true, could fundamentally compromise the Judicial Commission itself. Put simply, Justice Acosta had no business sitting on any panel involving Zappin v. Comfort in the Appellate Division while simultaneously ruling on, reviewing and/or investigating my Judicial Commission complaint against Justice Cooper that implicated Mr. Tembeckjian’s wife.

According to the CJC’s 2017 annual report, *“[Rolando Acosta] presently serves as an Associate Justice of the Appellate Division, First Department, having been appointed in January 2008.”* It is therefore true that Rolando Acosta is both a judge on the bench of the 1st Department Appellate division AND, until June 30 2017, served as an acting member of the CJC.

The same is true for Angela M. Mazzarelli, who took over Mr Acosta’s position on the CJC on July 1, 2017, and is also still working as a judge on the bench of the 1st Department Appellate Division. This is a blatant conflict of interest. How can Justices Acosta and Mazzarelli investigate and review complaints against judicial officers while presiding on appeals that involve the very same issues, parties and questions of judicial misconduct? Is this not willfully prejudicial to the parties, unfair and a conflict of interest?

Given that the CJC’s constitutionally bound obligation is to act as an independent overseer of New York’s unfit judges, the FCLU considers that Mr Acosta and Ms Mazzarelli’s wearing of both hats constitutes a conflict of interest, which leads to rigged outcomes to investigations. On July 24, 2017, the FCLU filed an official complaint about this to the CJC, which declined even to investigate this facially meritorious complaint.

The CJC's annual reports explicitly instruct:

“All judges are required by the Rules of Judicial Conduct to avoid conflicts of interest and to disqualify themselves or disclose on the record circumstances in which their impartiality might reasonably be questioned.”

In addition, the Code of Ethics for Members of the New York State Commission on Judicial Conduct, Rule 2 states:

"No member of the Commission should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his/her duties in the public interest."

Rule 3 states:

"Standards. . . A member of the Commission should endeavor to pursue a course of conduct which will not raise suspicion among the public that s/he is likely to be engaged in acts that are in violation of his/her trust."

Given these very clear guidelines, various questions arise:

i) Why was it permissible for Mr. Acosta to investigate/review Mr. Zappin's CJC complaint against Justice Cooper while at the same time that he was sitting on a panel as presiding justices in an appeal from *Zappin v. Comfort* that involved questions of Justice Cooper's misconduct on the bench?

ii) Why was Justice Mazzarelli allowed to review complaints by Mr Zappin when she was sitting on the Appellate Division panel reviewing his appeal in the *Zappin v Comfort* case?

iii) Was it proper for Justices Acosta and Mazzarelli to not disclose this conflict to either the CJC or the Appellate Division? Given both judges' apparent failure to disclose this conflict, should Justice Mazzarelli resign from the CJC?

[According to the CJC's own press release](#), Justice Mazzarelli was appointed to the CJC by Chief Judge Janet DiFiore on March 31, 2017. The FCLU asked what relationship the two women had prior to Mazzarelli landing the job, but the CJC has not responded.

The CJC's annual reports do not state who appointed Mr Tembeckjian to the CJC. Nor will the CJC respond to questions on this matter.

The FCLU has written to the CJC asking whether Mr Tembeckjian, Mr Acosta, Ms Mazzarelli or any other members of the CJC have received any financial payments, gifts, meals, golf-course/private member club access, or other non-monetary benefits from New York judges about whom the CJC has received any complaint in the last ten years. The CJC declined to respond.

Our research team has investigated, reviewed and analyzed the CJC's recent reports, including [this one](#). It claims that the CJC received 1,944 complaints about the conduct of NY judges over the course of 2016, of which the CJC made "preliminary enquiries" into 420 cases, and actually investigated only 177 cases. Thus, the CJC investigated only 9% of the complaints which it received. The FCLU asked the CJC to explain why it investigated so few complaints, and on what basis the CJC dismissed facially meritorious complaints without investigation. The CJC did not respond.

The FCLU also asked the CJC to provide specific instances in where it investigated any judges who engaged in destruction, deleting, altering and recreating evidence and the filing of false instruments. It declined to respond.

The CJC's neglect has been covered in the media, [such as this study by The Guardian and contently.org](#).

On the basis of numerous interviews conducted by our office, there is widespread public concern that the CJC only serves fellow members of the American Bar Association and/or of the New York Bar Association.

Based on our research, the CJC has never publicly disciplined either a Family Court or Matrimonial Judge for conduct related to a family law or matrimonial matter.

The CJC is bringing the entire judiciary into disrepute. The independent watchdog, the Center for Judicial Accountability, recently stated that "*the Commission is a corrupt facade, tossing out the most serious and fully-documented of facially meritorious complaints that are the Commission's duty to investigate.*"

According to a leading NY attorney with thirty years experience, when interviewed about whether the CJC operated with effectiveness and integrity:

“We're dealing with a vertical integration. No Supreme or Family Court judge will ever be found engaged in misconduct by the CJC because these judges bring in all the federal money for child-centered litigation in New York. The CJC will not bite the hand that tills all that soil.”

All the investigators on the CJC are lawyers. That includes uber-rich family court attorney Raoul Felder, who, served as a CJC board member between 2004 and 2008. Given the immense power of the American Bar Association, and of the New York Bar Association, how can the CJC be considered to be “independent” or offer real oversight if none, or very few, of its investigators are drawn from outside the ABA or NY Bar Association?

The FCLU has asked the CJC to consider recommending to the Chief Judge, the Governor and the Legislature that they appoint non-lawyer investigators for the CJC, such as journalists, accountants, paralegals, or academics. The CJC has not responded to this suggestion.

Justice David Saxe, a former colleague of Justice Acosta in the 1st Department Appellate Division, recently [told the NY Post](#): “Our state court system in New York is absolutely insane. It has enabled political people to control the courts, and they don’t want to give it up — so it’s very hard to get legitimate change that would be beneficial to the public.” This is a damning indictment of the CJC’s record in overseeing a just, impartial and independent court system, free from political interference.

Helene Weinstein: All the judges cited above receive their whopping salaries thanks to a budget provided to them by the New York Legislature. Their biggest champion is veteran Assemblywoman Helene Weinstein. [Born in 1952, she is a Brooklyn Democrat who has been on the Assembly for nearly forty years.](#) She has become one of the most powerful operators in New York. She [chairs the Ways and Means Committee](#), which distributes all the Legislature’s dollars. For 23 years up to December 2017, she chaired the Standing Committee on the Judiciary, which presides over virtually all legislation affecting the state's judicial system, Family and Domestic Relations Law. [According to the New York Jewish Times, “Helene of Canarsie \[is\] the most powerful woman in New York.”](#)

An ardent advocate for both the National Organization of Women and the New York Bar Association, Weinstein’s political and financial goals are to maximize Title IV-D funding from the federal government; increase incarceration of fathers for child-support matters; expand the use of restraining orders to traffic children into single-parent homes; enrich her ‘attorney-for-the-child’ friends by allocating them huge budget hikes; to humiliate and destroy the Fathers’ Rights movement; to engender mass terror about domestic and sexual violence; and to pursue #metoo policies to an extreme way that eliminates all due process.

Weinstein came to office when her father, [Murray Weinstein, left her his 41st district seat in 1980.](#) Like her father, [who founded the ultra-conservative synagogue, the Temple Shaare Emeth,](#) Weinstein is an Orthodox Jew. The core of her electoral support, and her campaign funding, comes from Lubavitcher Hasidim, in Remsen Village, a home for Hassidic Jews. She is driven more by religious fervor and family loyalty than legal ethics. She moonlights on her publicly funded job by [acting as counsel to her family's personal-injury law firm, Weinstein, Chase, Messinger & Peters, P.C.](#)

Like her namesake Harvey, Weinstein has built up a tight web of politicians and family-court professionals, all interested in protecting, promoting and enriching each other. She has personal and/or professional relationships with numerous women cited in this report, including Carol Sherman, Esther Morgenstern, Rachel Adams, Hilarie Chacker, Dawn Post, Martha Schneiderman and Karen Simmons.

Like all these women, Weinstein has no children of her own, and has no first-hand experience of parenting. Yet she wields immense power over New York’s families and children.

Weinstein is a zealous opponent of shared parenting legislation – which has sought to

establish a presumption of equality in custody cases. Her bigoted belief is that, in contested custody cases, mothers should be awarded custody, and fathers resigned to being child-support-paying visitors and ATMs. She is an advocate for a [new Senate bill, S1611](#), which seeks to increase mass incarceration of fathers. If made law, it will impose mandatory jail sentences of a minimum 30 Days for "violations of family court Orders Of Protection." And, taking a leaf out of Orwell's 1984, would force "offenders" to wear "GPS tagging" ankle-cuffs.

Weinstein holds huge influence with the Standing Committee on Children and Families. Year after year, she has blocked much-needed shared-parenting legislation reaching the Senate floor for a vote. She is closely associated with corrupt members of that committee, including another Brooklyn Assemblywoman, **Pamela Harris**, [who was indicted in January 2018](#) for four counts of making false statements, two counts of wire fraud, two counts of bankruptcy fraud, and a single count each of conspiracy to commit wire fraud, witness tampering and conspiracy to obstruct justice.

The New York taxpayer pays Weinstein \$153,500 a year. That's made up of a base legislator salary of \$79,500, plus \$34,000 as chair of the Assembly Ways and Means Committee, plus around \$40,000 in pensions, healthcare and other benefits.

Weinstein's 2016 election campaign was largely financed by donors whom she has helped to enrich through her work as a public official, [including big donations from the "Association Of Surrogates & Supreme Court Reporters Within The City Of New York" \(\\$6,000\)](#), ["The New York State Trial Lawyers Association" \(\\$4,400\)](#) and the [New York State Academy of Trial Lawyers \(\\$2000\)](#), as well as [donations from private law firms like Greenberg Traurig \(\\$1000\)](#).

She is a member of what is widely known as ["the corruption caucus"](#). [She even stood by by the Assembly's disgraced former speaker, Sheldon Silver](#), whose corruption re-trial is scheduled to begin in April 2018.

Like the head of Gymnastics USA in the Larry Nassar case, Weinstein negligently refuses to consider evidence of judicial corruption, and the harm it is causing millions of New York children. The FCLU has offered to show her evidence of kickbacks between judges and the CJC, which she has refused to hear. [As affirmed by the independent Center for Judicial Accountability](#): *"Helene Weinstein is fully knowledgeable of the foregoing corruption, but REFUSED to discharge ANY oversight throughout her 23-year tenure as chair - including by holding ANY hearings to take testimony from the public."*

On January 30, 2018, at a 'Public Protection Joint Budget hearing', which Weinstein was chairing, she sought to block FCLU's New York Chapter president Sebastian Doggart from testifying. Although she failed to do so, she then cut off Mr. Doggart half way through his testimony, just as he was informing the committee of Weinstein's relationship to the beneficiaries of the budget, and demanding that she provide oversight on the judiciary. [See footage here at 11:55:55](#). Weinstein then blocked a written report on judicial fraud from being distributed to other members of the Assembly, and refused to respond to written questions about the conflict of interests she was involved in, as Chair. She also failed to respond to information provided to her office about corruption of judges she was planning to finance.

On February 5, 2018, the Center for Judicial Accountability presented written evidence of fraud by Weinstein, [readable here](#), and then followed it up with oral testimony to the Assembly, [viewable here from 8:34:44](#). The CJA revealed how Weinstein is cheating taxpayers with an uncertified budget, which includes huge hikes for judges -- up to \$247,000 a year in salary and benefits. *"This budget bill is replete with fraud and larceny of taxpayer money,"* the CJA told the Assembly in her televised testimony. *"These are penal law violations."* Weinstein then cut off Ms Sassower's microphone just as she was documenting Weinstein's constitutional violations and taxpayer larceny.

Weinstein is up for re-election, for the 19th time, in November 2018. [A public group has formed to remove her from office](#). The FCLU encourages all efforts to end her disgraceful reign. Time's up on every abusive Weinstein!

Office of Attorneys for the Children: This program contracts AFCs to family courts, at great expense to the taxpayer. Yet no oversight exists over these AFCs, or how they are appointed. The absurd lack of supervision is demonstrated in this photo, which shows that Attorney for Children program shares an office with the Attorney Grievance committee:



Yet the Grievance Committee is the organization charged with handling complaints against Attorneys for Children. This is a clear conflict of interests.

NY Governor Andrew Cuomo: Cuomo has taken no steps to investigate corruption in the judiciary, and the FCLU supports his removal at the November 2018 elections. He has indicated some concern about some of the issues that this report is highlighting. In his budget address, on January 16, 2018, he criticized the judiciary for asking for a bigger increase in funding than any other government entity, stating: *“The backlog of cases is tremendous, especially in downstate New York. We have a chronic problem of people in Rikers Island who have been there for years and haven’t had a day in court. The judiciary wants a 2.5% increase. The people of the state have the right to know that the courts are open and functioning from 9 to 5. You have many courthouses where literally at 1 o’clock the place shuts down. So I would support the increase of 2.5%. But the judges have to certify that the courtrooms are actually operating from 9 to 5.”* ([viewable here from 35:15](#)). It is hoped that he will follow through with this condition, and that he will also take action on problems raised in this report.

HONORABLE MENTIONS

Michael Pulizotto: The winner of our annual competition for 2017’s most courageous warrior against New York family court corruption. Michael Pulizotto is the former chief clerk of Staten Island courts who was fired after he recorded conversations with judges and other court personnel. Ignoring huge pressure to allow the court racket to continue, Pulizotto has now revealed how Staten Island District Attorney Michael McMahon took part in a scam in which he would manipulate grand jury applications so that cases would be sent to a judge who served as a “rubber stamp” for Supreme Court Justice Judith McMahon, the DA’s wife.

Pulizotto has brought a suit against the borough's former administrative judge, state court officials and others in Manhattan federal court alleging they bullied and harassed him while running the Staten Island Courthouse as a "fiefdom for their own personal and political gain."

The \$2.9 million suit alleges that Justice McMahon; Ronald P. Younkins, the executive

director of the state Office of Court Administration (OCA); the New York State Court Officers Association, and several others relied on "direct and indirect coercion, intimidation and threats" to achieve their objectives while trampling on his and other individuals' Constitutional rights.

Specifically, the defendants hushed up a discrimination complaint made by an African-American female court officer and adopted a "hear no evil, see no evil approach" to "official corruption and misconduct in the courthouse," which included Justice McMahon overstepping her authority on multiple occasions to aid her spouse, District Attorney Michael McMahon.

In gathering evidence, Pulizotto bravely recorded conversations that he had with Acting Staten Island Supreme Court Justice Stephen Rooney, and others. More information is [here](#). We encourage all those employed within the court industry to use similar methods to investigate and expose fraud, waste and abuse.

Dr. Stephen Baskerville: The deeply informed and eloquent author of two books vital for understanding how the family court racket operates: "[*Taken into Custody: The War against Fathers, Marriage and the Family*](#)" (2007) and his latest, "[*The New Politics of Sex: The Sexual Revolution, Civil Liberties & The Growth of Governmental Power*](#)" (2017). Dr. Baskerville lifts the lid on how family courts and government policies are harming children. [In this video presentation](#), he succinctly summarizes how the "underworld" of American courts have become the "perpetrators of injustice", and how they are aided by extreme-feminist groups and the media. Dr. Baskerville is Professor of Government at Patrick Henry College, and Research Fellow at the Howard Center for Family, Religion, and Society, and the Independent Institute.

The Center for Judicial Accountability: A non-profit, non-partisan organization which has worked courageously to expose judicial corruption. [The CJA has brought a Citizen-Taxpayer Action against New York Governor Andrew Cuomo and Attorney-General Eric Schneiderman](#). The suit documents a litany of misconduct, willful fraud and waste by the New York judiciary. Its director Elena Sassower has testified on numerous occasions to the New York legislature, which has stonewalled all her calls for answers.

COMING SOON: Reports on the most fraudulent, wasteful and abusive organizations within the New York Family Court rig, including:

* **The New York Bar Association:** The organization propping up the winner-takes-all custody system in New York, and blocking shared parenting legislation – all to feather the nests of its contributing attorneys.

* **The New York Women's Bar Association:** The donors to this organization are all beneficiaries of the family court racket: matrimonial law firms, and attorneys like Susan Bender and Harriet Cohen. Its President, Virginia LoPreto, is a favorite of Judge Kaplan, who regularly appoints her as AFC on her case.

* **The Attorney Grievance Committees:** These bodies are charged with, and well-financed to investigate facially meritorious complaints of misconduct by NY attorneys. Why does it only pursue cases brought by disgruntled judges or powerful attorneys, and rarely investigations evidence presented by private citizens? Why does it never even touch a complaint against an attorney for the child?

* **The Office for Court Administration:** Why is this body non-responsive to reports of misconduct and abuse? What is being covered up by executive director Ronald Younkins and chief of operations Barry Clarke?

* **Administration for Children's Services:** How is this broken, chronically incompetent and corrupt organization still being financed by the public? How has it been allowed to create what [The New York Times has called "the new Jane Crow"](#), removing children from their homes without due cause, and placing them into foster care and enriching the State government through Title IV-E

federal funding? How are its attorneys allowed to go unpunished for [taking illegal photographs inside the court-room and then ridiculing mothers for the choice of their bras](#)? The ACS' own reports admit that [its staff are poorly trained](#), a reason why [children regularly perish when under ACS care](#).

* **Children's Law Center:** The main beneficiary of the judiciary's 'attorney-for-the-child program' which is due to receive a whopping \$124 million in 2018/2019. Why are NY taxpayers paying \$250,000-a-year salaries to directors Karen Simmons, Hilarie Chacker, Dawn Post et al, when this is a charity, nominally set up to help "indigent children? Why is there no oversight whatsoever on its operation? Why has the Unified Court System renewed its exclusive contract to provide AFC services, year after year, without putting it out to tender? How has CLC founder Carol Sherman been allowed to become the top judge of Queens County court while still farming thousands of cases to the very organization that has enriched her? Why has the New York Legislature – and Judiciary Committee chair Helene Weinstein, in particular – not demanded oversight on this massive expenditure? And why has the NY Legislature not investigated facially meritorious complaints about CLC fraud and waste?

* **Safe Horizon:** This tax-exempt 'charity' provides "supervised visitation" services to parents being alienated by the family courts. It maintains an inappropriate relationship with friendly judges like Morgenstern, and with agencies like the CLC. It is a scam on the taxpayer that was exposed in [this 2009 independent report](#), which reached this conclusion:

"How many [donors] realize that Safe Horizon rakes in nearly \$56 million every year? Do recession-hammered donors appreciate the agency suckles \$18 million annually from the federal teat? And how many understand that its shelter was bankrolled by a federal grant funded by the Violence Against Women Act that prohibits giving any legal assistance to a person falsely accused of partner abuse?... Federal tax returns for Safe Horizon reveal skyscraper salaries that would put many bail-out bank executives to shame... Safe Horizons gives a brand new twist to the famous old expression, 'Doing well by doing good'."

Why has Janet diFiore and the OCA not acted on this evidence? Why are taxpayers still paying Safe Horizon's directors' salaries and benefits in excess of \$200,000 a year?

* **Comprehensive Family Services:** This tax-exempt firm provides "supervised visitation" services at a rate of \$350 per hour. Why is it paying its directors six-figure sums?

* **Sanctuary for Families:** This tax-exempt firm, financed by NY taxpayers, pays \$250,000-a-year to sketchy attorneys to provide 'free' representation to parents seeking to alienate children from the other parent, maximizing Title IV-D funding for NY State.

Please submit all your evidence of fraud, waste and abuse – and any corrections or additions to the above survey -- to shockedandawed@aol.com

Notes on this Survey: Prior to publication, this survey was sent to NY's Chief Judge, Janet DiFiore, and to Chief Administrative Judge Lawrence Marks, who are responsible for the conduct of the above judges. We asked DiFiore and Marks to make any corrections or comments that they or their offices felt appropriate. DiFiore and Marks did not respond.

We also sent a copy of this survey to New York Assemblymember Helene Weinstein, inviting her to comment. She did not respond.

Meanwhile, most of the names of litigants, parents, children and sources from within the family courts, have not been cited in this survey, to protect them from retaliatory action from officers of the court system.

Thank you to all those who contributed to this survey, and to those who can help in the

future to expose fraud, waste and abuse in our court system – and to protect our families and children.

The Families Civil Liberties Union is a non-profit, non-partisan group representing families across the USA. The FCLU's mission is to protect parents and children from fraudulent family courts; to make the public aware of misconduct, waste and abuse in the judiciary; and to bring about radical reform through public-awareness campaigns, family-friendly legislation and the investigation by appropriate federal and state authorities. [More info here](#).