



THE WORST FAMILY COURT JUDGES IN NEW YORK STATE IN 2018

"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 (ret. 2017)

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, here is a list of the thirty-one judges who have most egregiously failed to perform their constitutional and statutory duties in 2017 and 2018.

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. Morgenstern is a former law clerk, who came to the bench in 1996. 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.*" Morgenstern's bleached blond hair and arrogant demeanor give her the look of an aging Barbarella on a bad acid trip. A divorcee herself, she takes the bench at a leisurely 11am and speeds through cases taking away children, jailing fathers and imposing impossible conditions as part of 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 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*:

<https://nypost.com/2015/01/22/judge-gets-to-preside-over-strikingly-similar-divorce-case/>

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. Her bias towards the CLC places 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 who the CLC and the court purport to represent, and every New York taxpayer.

2. **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 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 gives ten percent of his income to the Church. But his conduct more closely resembles the sadistic 17th century persecutors of Christians in the Japan portrayed in Martin Scorsese's *Silence*. The New York taxpayer rewards Kuskabe with a whopping salary of \$182,000 (excluding benefits such as health insurance and pension, whose worth is another \$40,000) -- and this will rise by \$10,000 on April 1, 2018. In 2015, Mayor diBlasio extended his tenure, without any election, or public hearing, until 2025. This is a man who should not be allowed anywhere near a gavel.

3. **Deborah Kaplan** (New York County Supreme Court). The greatest example of a Goddess Complex in the NY court system. 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 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 four years; incarcerated on Rikers Island for “civil contempt”; 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](#).

4. **Matthew Cooper (New York County Supreme Court):** His background at the Teamsters has set the tone for New York State’s most 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, like a hybrid of Mr. Burns and Grand Moff Tarkin. Cooper often threatens parents that they will never see their child(ren) again unless they do exactly what he says. 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 soundbites" 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, 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. [Judge Katherine Failla has 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 has stopped from seeing his child, and persecuted through the press. Judge Failla was due to rule on the matter in August 2017, but . To defend himself, Cooper 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. Zappin has filed a formal complaint to the New York State Commission on Judicial Conduct against Cooper for engaging in extrajudicial communications with media outlets about pending cases. But the CJC is an under-funded 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. 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 bad 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, and needs to be audited and removed from the bench.

5. **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.
6. **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](#).

7. **Carol Mackenzie** (Nassau County Supreme Court). Mackenzie has blood on her hands. She presided 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.

8. **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 hardier 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.

9. **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. His hallmark is issuing bizarre orders, the most violent of which was jailing a parent when their child disappeared from foster care. He favors vague “temporary orders of visitation” (TOV), arguing that **inclairity** helps parties to resolve issues amongst themselves. In truth, he issues these TOVs because they are “appeal-proof”: the Appellate Divisions immediately dismiss 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 – and causing 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 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, with another \$10,000 raise due to kick in on April 1, 2018.

10. **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. 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 judicial training in family court matters.
11. **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.
12. **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. 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.
13. **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.

14. **Mildred Negron** (Queens County Family Court): First appointed as an Interim Civil Court Judge in March 2016 and has been presiding in Family Court. Judge Negron 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, Judge Negron was a Court Attorney-Referee for over 13 years in Kings County and Queens County Family Court. Appointed December 2016. (Formerly appointed to the Interim Civil Court March 2016). Negron is the ultimate horror show on the bench ranking with Esther Morgenstern and Matthew Cooper. Known as 'Millie' to her friends, Negron crafts anything she wants: during colloquy and during hearings. Many litigants say that Negron is a body-language judge, that she determines a person's integrity by their body language, and then reaches favorable decisions for that person. Negron 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 Negron lives up to that expectation in every decision. Another menace to society.

15. **Catherine DiDomenico** (Richmond County Supreme Court): First appointed to the bench in January 2005 as an Interim Civil Court Judge. She was subsequently 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. .

16. **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. Incapable of understanding 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.

17. **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.
18. **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."
19. **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.
20. **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. Appointed February 2015. 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.

21. **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. 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. For this skill, Bogacz gets a 'no vote' from the FCLU.
22. **Margaret McGowan** (Queens County Supreme Court). Treating due process like a toilet, McGowan holds all 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.
23. **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.")
24. **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.
25. **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. 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”). Prior to becoming a judge, Sweeting 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’.

26. **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.”
27. **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.
28. **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.

29. **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.
30. **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."
31. **Sharon Bourne- Clarke** (Kings County Family Court). Negligent, inexperienced, and out of her depth, 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. She 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. Her 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.

DISHONORABLE MENTIONS

The Commission for Judicial Conduct (CJC): This body has the vital role of providing oversight on New York's judges. Yet it has proven to be a sham organization, 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).

Three officers of the CJC are mainly responsible for this: **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 also 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 Mr 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 Mr 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.*"

According 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 Mr 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 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:

"Rule with respect to conflicts of interest. 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: *"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.

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. 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.

Carol Sherman: A veteran jurist who has been on the bench since 1998, she is now the supervising judge of Queens Court. She is also the founder of the powerful Children's Law Center, which receives \$66 million in taxpayer funding to provide ‘attorney-for-the-child services in Queens, Bronx, Staten Island and Kings county family courts. Sherman ensures 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 kept a mother away from her child. 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 proof of her unfitness, 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.*”

Elizabeth Shollenberger (White Plains): In 2017, she turned the NY judiciary into a laughing stock and fleeced the taxpayer 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 \$175,000-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.

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.

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 is suing 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 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 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.