

Testimony of Sunny Kelley to Connecticut Task Force to Study Legal Disputes Involving the Care & Custody of Minor Children Public Hearing

January 9, 2014

Dear Members of the Task Force,

Brief History of My Case

I am the mother in family docket case FA09--4037658S Liberti v Liberti, now referenced as Doe v Roe on the judicial record.

My case began as what I thought would be an amicable divorce, even though my husband had chosen to commit violence against me and members of my family throughout the marriage. When my son disclosed that his father was touching his genitals, [1] and anal tearing appeared after a visit with his father, I sought medical attention and reported to the authorities. I expected that a competent investigation would follow, and I would get some answers about what had happened or didn't, and that if my son had been the victim of a crime, he would have, as all American crime victims are entitled to, protection from contact with the perpetrator. What I didn't know was that this would enter us into a black system where state agencies contract with each other [2] to maximize HHS funding by increasing violent offenders' access to their victims when the relationship is male parent and child.

Before the campaign of terror I've been enduring at the hands of judicial branch employees and professionals appointed onto my case, I was a healthy, well-adjusted, productive member of society. After my dealings with family court - more specifically my forced patronage of an unethical [3] corporation where judges are in business with professionals who appear before them - I am left devastated, bereft, penniless, traumatized, and disabled with complex PTSD. I am terrified for my child's safety every single day. I fear my own safety every day. I want nothing more out of life than to have my son home with me where he would be safe and I can nurture him until his deep wounds, inflicted on him by AFCC judges who make rulings to satisfy funding mandates instead of law, can finally heal.

Financial Devastation Through Forced Dealing with AFCC Members and Affiliates

In total, my family and I have lost approximately one million dollars in our efforts to secure my son's safety from an admitted violent offender. [4] My parents' equity and retirement accounts have been liquidated and lost to this abyss of legal bills. While we once were a wealthy, highest-tax-bracket family, we are now bankrupt.

It was never once disclosed to me, or on the court record, that the participants in my case were connected to each other through a corporation, [5] which has been doing profitable business in Connecticut for approximately thirty years without being registered with the Secretary of State. [6]

Thirty four billing professionals were involved in my case over the pendente lite period of approximately three years, of those approximately fifteen were court appointments. There were, to my knowledge, eleven professionals involved in my case who are AFCC-affiliated, either directly as founders and members, or through publicly funded, AFCC-run GAL trainings.

AFCC affiliates involved in my case include:

- Judge Holly Aberly Wetstone
- Judge Gerard Adelman
- Judge Lynda B. Munro
- Maureen Murphy, GAL
- Harry Adamakos, appointed by GAL Murphy to evaluate parents
- Dr. John T. Collins, appointed by GAL Murphy as my son's therapist
- Dr. Kenneth Robson, appointed by Judge Munro to evaluate my son [7][8][9]
- Dr. Linda S. Smith, appointed by Dr. Robson to perform psychological testing on my son, to whom my son made a clear disclosure of abuse [9][10]
- Dr. Sidney Horowitz, origin to my case is unknown to me, appointed as parenting coach to admitted violent offender father [4]
- Dr. Howard Krieger, origin to my case is unknown to me, appointed as parenting coach to admitted violent offender father [4]
- Attorney Steven Dembo, appointed by Judge Gordon as attorney to represent GAL in appeal
- Yale Child Study Center, state referral to evaluate my son for sexual abuse
- Our Family Wizard

Maureen McCabe Murphy, the GAL in my case, is paid by the state to conduct AFCC training for the mandatory GAL program. The Office of Public Defender has refused to disclose for review by parties to her caseload, her contract with the state or her billing records for GAL trainings or casework. [11]

Through the duration of my case, AFCC members and affiliates generated countless billing hours for themselves and fellow members whom they appointed to my case. [12] They did this by ordering my child to be exposed to an admitted violent offender, [4] then billing many times over for "evaluating" the problems they caused, and yet again billing for "treating" the pathology they created. I was forced under color of law to patronize these businesses under threat of contempt findings and other more severe punitive judicial measures. I was repeatedly threatened with loss of my child if I failed to allow this extortion to be perpetrated upon my family. In the end these AFCC members made good on their threats, and I have not seen my child in almost two years, though I have never been adjudicated an unfit parent. At this time, I am ordered to see my child only through supervision, contingent upon weekly therapeutic supervision, for which no therapist will currently agree to participate. Even if I find a therapist who will engage in this unethical practice, which violates the canons of their licensing board, I would still have to come up with several thousand dollars a month to see my child utilizing the specifically ordered N.J. Sarno & Co., affiliated with AFCC member Louise Truax, and who charges no less than \$85 per hour.

It has been reported [13] that the co-owner of N.J. Sarno & Co., Nick Sarno, whose legal name is Nicolas Siconolfi, is known by the courts to have engaged in illegal activity, has six aliases, and was caught forging identification information on a pistol permit. The court also ordered me to surrender my passport to Mr. Siconolfi, even though surrendering federally owned identification to anyone other than law enforcement is a crime. Of course, the bargaining chip used in the extortion was, once again, seeing my son.

During the pendente lite period, and finally in the trial decision, I was ordered by AFCC member Judge Munro to pay for the ongoing use of the poorly secured website Our Family Wizard - one of AFCC's platinum sponsors [14] - as the *only* means of obtaining any information about my child.

Attempts at Remedy.

The appeals I have filed have been denied under the most suspect of circumstances. The first I filed during the pendente lite period seeking remedy for the due process violations committed in the process of taking my son from me. The appellate court returned a decision fourteen months later, exactly within *one hour* of the time the trial court decision was reached. I believe the odds of such a random occurrence are astronomical. The second appeal I filed seeking remedy for the travesty of a trial decision was thrown out after the appellate court made a paradoxical procedural ruling that was impossible to comply with.

In the course of my searching for remedy to the constitutional and other violations committed against me and my child, I have been extremely disturbed to learn that complaints to the Department of Public Health regarding the outrageous malpractice perpetrated by AFCC-affiliated licensed medical and psychological professionals are reviewed by their fellow AFCC affiliate Elizabeth Thayer. [15] Complaints about the judges' wrongdoings have likewise, without explanation, been rejected by the Judicial Review Council, on which sits AFCC member Barbara Aaron. [16]

In fact, I currently find myself in the now familiar position of being required to deal with even more AFCC-affiliated, members of this Task Force who are in a business relationship with the same perpetrators from whom I seek remedy. [17] It's clear to me after several years of seeking any avenue of remedy for the extortion, graft, and child endangerment that was visited upon my family that is not populated by conflicted AFCC business relationships, that simply none exists.

Billing Irregularities

Billing irregularities have been rampant throughout my case. GAL Murphy's billing in my case totals over \$83,700 [18], Nick Sarno's total over \$123,000 for sixteen months of supervision [19], and Dr. Robson's total over \$17,000 [20]. However, upon examining the itemized accounts of each, and cross referencing them, inconsistencies are apparent. Meetings between them are cited in one that are not mentioned in the other. It's hard to know from the billing irregularities if I paid each of these professionals for the meeting during which Dr. Robson referred to me as a "French whore", who was "gratified by [my] son's sexualized behavior". [8] At the billing rates for these professionals, I paid approximately a thousand dollars an hour to be slandered and defamed by them.

In fact, early in my case my assets were liquidated in a contempt hearing against me, where I was found in contempt for failing to agree to sell my house at a deflated price, though I had never stipulated to or signed a purchase and sale agreement. Over my objection, the escrow account resulting from the sale was then held exclusively by opposing counsel Noah Eisenhandler. Through the duration of the case, he continually wrote checks on this account without notification to me and certainly without obtaining my consent. I was not provided with any statements regarding this escrow fund. By the conclusion of my case the funds had all gone to Murphy, Robson, Smith, and Carlson, and nothing remained.

I was ordered by Judge Gordon and by Judge Munro to pay for my ex-husbands discovery. I was ordered by Judge Gordon to pay Attorney Dembo a \$5,000 retainer for his representation of GAL Murphy in the first appeal. It was clear from Ms Murphy's testimony that she felt I should bear the burden of payment alone as punishment for seeking remedy by filing the appeal. Judge Gordon even specified in her order which account of mine the retainer fee for Attorney Dembo must come from. I paid, but never once received an itemized statement - or any kind of statement or correspondence from Attorney Dembo at all - much less a refund of any unused funds on the retainer.

There were also billing irregularities in Dr. John Collins' billing statement. [21] He was appointed to my case in August 2010 by GAL Murphy. I say "statement", singular, because I have only received one to date. On this statement he used billing codes which were inconsistent with his court ordered mandate to treat my child. When GAL Murphy was asked on the stand to explain Dr. Collins' reasons for billing for family therapy, she refused to answer and I was thereafter never allowed to see another statement. I have since received from him what amounts to blind requests for money and a threat of collections, [22] where he stated that he billed Cigna, even though my ex-husband's financial affidavit clearly states that our insurance carrier throughout the time of treatment was Anthem Blue Cross Blue Shield. [23]

Consistent with the aims of the interagency agreement [2] to maximize fatherhood initiative HHS grants, and with Yale's funding by fatherhood initiative grants, Yale Children's Hospital used conflicting billing codes for a single visit with my son, seemingly to justify releasing him to his father's care after my son demonstrated self-harm, and asked the psychiatric nurse for help in refraining from self-harm and morbid ideation. Yale also used multiple patient numbers for my son on the same visit and erroneously listed us as an indigent family, and elsewhere listed our home addresses. I can't think of another possible explanation for this discrepancy than erroneous Medicaid billing. Upon request, complete medical record can be made available for investigation by authorized agencies.

I've never seen any billing for Linda Smith, Sidney Horowitz, Howard Krieger, or Gabrielle Carlson, all of whom were appointed by AFCC members to provide services to my son.

Current Situation

In the end, it was made official in Judge Munro's trial decision that I was not allowed to see any records at all regarding my son or his care.

Filings I have made to request a status conference appear to have been discarded by clerks. Whatever the reason for their disappearance, I can't seem to get on the docket to review the impossible conditions of the trial decision. Let me reiterate that I have never been found unfit.

I strongly believe that it is impossible for me to obtain a fair hearing or findings of fact in my case while conflicted AFCC members sit on the benches and in administrative positions in the Connecticut judicial branch and it's oversight agencies. As long as they are financially, and now possibly criminally, invested in obscuring facts and evidence in my case, I will not be able to obtain even a semblance of justice, and my child will continue to be subject to a dangerous environment.

Proposed Solutions

This panel is considering solutions for the seemingly ubiquitous dissatisfaction of litigants unknowingly forced into business dealings with AFCC vendors profiting under color of law. Some suggest that the solution to rampant failure by employees of the judicial branch to abide by existing rules and regulations is enacting additional legislation that requires judges to rule children into shared custody, regardless of a parent's history of violence or ability to care for the child(ren). I believe, however, that our current laws are robust and healthy. I believe that the Connecticut legislature has made sound decisions in enacting reasonable statutes that allow equal protections for citizens of this state. There is an excellent criminal code in place to deal with lawbreakers and regulation violators, and judges currently have sound tools and guidelines at their disposal to correctly determine the best situation for children of divorce. The problem is not one of poor legislation; it is a problem of flagrant violations [24] by judicial branch employees and state vendors, of federal RICO statutes, constitutional rights, federal ADA rights, judicial canon, and professional and ethical canon of medical and mental health professionals. [13] The remedy for violations of canon and law is not to enact different laws.

The only sound solution to ending criminal activity is prosecution. The only sound solution to restoring fairness and neutrality to the fact-finding process is to remove the financial incentives that cause outcomes to be determined by funding mandate instead of law, and demanding that rules of evidence must be followed to the letter in all courts of law. The impropriety [3] of judges being joined in trade organizations with the professionals who appear before them must end immediately if we are ever to restore the faith of the citizen in the family court system.

ALL gender language from all funding sources must be removed if we are ever to see outcomes for Connecticut children that are determined solely on their health and safety. [25] As long as various state agencies require disastrous outcomes [26] to justify their existence and therefore their funding, these tragic cases will never stop.

There can be no judicial immunity when the fact-finding process deviates from strictly observed rules of evidence, judicial canon, and adherence to due process.

As part of the commission of this Task Force, you are authorized to refer your findings to the US Department of Justice. I believe that the evidence in this situation more than warrants your exercising of that mandate.

Thank you for your consideration of my testimony. It is accurate to the very best of my knowledge and understanding. All citations are available as public record. Please feel free to contact me for more details about my experiences or for any additional documentation.

Sunny Kelley

Bethany, CT

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3. <http://www.scribd.com/doc/142274988/Commission-on-Jud-Ethics-No-AAML-for-Some-CT-Judges-But-What-About-AFCC>
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5. <http://www.scribd.com/doc/135448763/CT-Judges-Found-AFCC-Trade-Organization-For-Family-Court-Professionals>
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10. <http://www.scribd.com/doc/135554778/Linda-S-Smith-Ph-d-AFCC-CT-President>
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13. <http://www.consciousbeingalliance.com/2012/05/a-life-sentence-family-courts-sacrificing-mothers-and-children-in-america/>
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17. <http://communities.washingtontimes.com/neighborhood/speaking-family/2013/dec/26/ct-task-force-spars-parents-over-billing-fraud-fam/>
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