

URGENT

W R I T T E N R E S P O N S E A T T A C H E D

PUBLIC HEARING REPLY FORM

Persons wishing to present testimony at the public hearing on Family Court are requested to complete this reply form as soon as possible: by October 11 for those seeking to testify in person, and by October 16 for those seeking to submit written testimony. Please return this form by mail, email, or fax to both:

Kenan Kurt
Chief of Staff & Counsel
Senate Standing Committee on Judiciary
322 8th Ave, Suite 1700, New York, NY 10001
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James Ostaszewski
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Oral Testimony by Invitation Only

- I plan to attend the public hearing on November 1 to be conducted by the Committees on Judiciary and Children & Families.
- I plan to make a public statement at the above hearing. My statement will be limited to 10 minutes, and I will answer any questions which may arise. I will provide 10 copies of my prepared statement.
- I will address my remarks to the following subjects:

- I do not plan to attend the above hearing. *due to Court Conflict* Written Comments attached
- I would like to be added to the Committee mailing list for notices and reports.
- I would like to be removed from the Committee mailing list.
- I will require assistance and/or handicapped accessibility information.

Please specify the type of assistance required:

NAME: *Carol Nally O'Leary*

TITLE: *Spec. Needs Mother*

ORGANIZATION:

ADDRESS: *77 S Franklin St NYack NY 10960*
Apt 218

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**Immediate Changes needed to be a Judge in Family Court: Opinion Carol Nally O'Leary
11/1/23.**

1. Judges need to pass a test on family law and go on a list like the Fire and Police and be appointed. Abolish 'running' for Judge. This ensures they are qualified to Judge not have wealthy friends. This also ensures a supply of qualified judges for the Courts.
2. Abolish immunity. No one with immunity does a good job as no point.
3. Recertifying every 5 years so they are up to date on changes to the laws, disability law, human trafficking, coercive control, equitable distribution of assets etc.
4. Bonded and insured. Damages paid to citizens who are harmed by the Court. When the citizens taxes go to pay for judicial abuse there will be less judicial abuse.
5. Meet financial education standard set by the American Bar Association. All Judges must be tested so they can add and subtract and read financial documents. Family court is all about splitting assets so there are equal standards of living.
6. No 'cooking the books. Any Judge found to falsify the interpretation of financial documents is removed and prosecuted. This is being done by Judges to 'justify' giving money to the wealthier stronger party.
7. Stop giving custody of children to fathers so they avoid paying child support. For wealthy men a nanny is cheaper than the court ordered child support would be.
8. All parties who wish to testify are allowed to testify and have their testimony recorded by the stenographers. No 'turning off' the person testifying nor the stenographer. By the Judge to avoid recording testimony
9. All family court proceedings are taped with Microsoft Meetings and available on request. Connecticut charges \$25 for the tapes and NY needs to do the same. Stops Judicial abuse.
10. Judge must be certain both parties must have equal counsel paid before the case starts. If wealthy party is to pay legal costs, they must pre-pay the other so 'legal fee domestic violence' does not occur.
11. Judges must understand the financial impact of non-money assets like credit scores, college degrees and certification and they need listed in the list of assets and distributed. An accounting certification is worth \$3 million, destroying the wife's credit score will cost her \$800,000 extra in interest charges over a lifetime, refusing to do childcare is \$11,000 a year etc. **When you factor these in you get a very different financial picture.**

*Carol Nally O'Leary
11/1/23*

12. Judges can not refuse to rule so the parties can not appeal. This is number one lazy judge abuse of power I see right now.
13. **Judges must be prepared for court. Must have read all the submitted documents. They must call in expert witnesses to explain the documents they don't understand.**
14. **Judges who scream at victims to intimidate them into giving up their rights and money must be removed and prosecuted.**
15. Time to appeal needs extended to 6 months as no one can be ready in 3 weeks.
16. No more forms. An online application is all that should be needed to access court and appeal. This prevents beating down the spouse with legal fees until they give up. No 'I, thee, though forms written by John Hancock should be used in our courts as they now are as a barrier. Plain English, available to fill in from home or public library in 5 minutes.
17. Complaints against Judges are ALL investigated and reports are available to all parties, and the legislators and the Governor and Federal overseers.
18. The rights of disabled spouses and children and the educational needs of children are paramount.
19. All rulings should be reviewed and signed by the head judge to ensure they meet the laws of NY and US Constitution; Are fair and equitable before they are issued.

To quote President John Adams:

"Checks and balances, Jefferson, however you and your party may have ridiculed them, are our only security."

Thank you.

Carol Nally O'Leary
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*Carol Nally O'Leary
11/1/23*

List of legal terms that Judges need to know: - but don't

IEP. Individualized Education Plan for child with special needs

FAPE. free appropriate public education

Interstate Compact: contract between NY and another state to educate a child.

FAFSA: Free Application for Federal Student Aid. If parent refuses to complete child does not get aid.

'Stay Put Order' - legally binding order from a foreclosure court for a family to 'stay put' usually so a child can access education.

WEP: Windfall elimination provision. A decrease in social security if you get a foreign pension.

ADA: Americans with Disabilities Act. Protecting disabled

Thief -someone who steals the assets of another or convinces them to give them to them.

Estoppel- entering a financial contract or transaction when you know someone else will be stuck paying not you.

Moral Advantage - when you convince someone to take on a debt when your knowledge and experience put that person at risk. Often used by bankers to steal.

SEC Laws -Security and exchange commission laws which regulate the securities industry in the USA.

Submitted by C. N. O'Leary on 11/1/23.

*Carol Nally O'Leary
11/1/23*