

TOPSY-TURVY CHIEF JUDGES

By Manuel P. Asensio

T *opsy-Turvy Chief Judges* is based on an investigation of New York Chief Judge Janet DiFiore’s denial of parental rights. According to the law, these are a US citizen’s most protected liberty rights.¹ To deny these rights, Chief Judge DiFiore must allow the judges that preside over parental rights to operate outside of the law. And she does. The chief judge allows these judges to violate laws and to act beyond their authority to act in clear absence of jurisdiction. The chief judge then protects these rogue judges from review and appeal. Obviously, no judge especially the chief judge has authority or can be legally authorized to engage in this type of conduct.

The culmination of the above is that Chief Judge DiFiore allows these judges to summarily order separations of children from their parents without legal authority. These are perfectly normal citizens and parents with intact loving relationships with their children. The judges act with the chief judge’s unauthorized concealed protection. The parents are trapped by set of laws that the chief judge control under administrative constitutional authority. Then the chief judge denies parents their right to challenge these the constitutionality of her use of administrative authority to deny parents their due process and parenting rights at all levels in New York justice system.

Simply put, the facts, factors, and circumstances prove Chief Judge DiFiore is engaged in corrupt judging against parents. These facts were discovered in the actions I took against the chief judge. I commenced action against the Chief Judge after she personally defended a New York County family court magistrate, Adetokunbo O. Fasanya, against me and refused to justify her position with facts, reasoning, or authority. The Chief Judge then arranged for the state’s attorney general to protect Fasanya from discovery. Finally, the Chief Judge defended Fasanya in New York State’s highest court and before the Governor. A detailed account of the genesis of the investigations into the Chief Judge’s conduct is contained in a companion article titled “Origins of Topsy-Turvy Chief Judges.”

The Chief Judge’s system of concealed and deliberate deprivations of due process

¹ Parental rights are protected under the US constitution. US courts have found parental rights to be basic and essential to liberty, more precious than property rights, and have granted the integrity of the family unit and the right to raise one’s children protection under the Due Process Clause of the US constitution. See Annexes.

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Manuel P. Asensio is the author of *Topsy-Turvy Chief Judges* and the founder of RightABigWrong.Org, a nonprofit, nonpartisan organization. For additional information about the author and this article, please refer to the companion article titled “Origins of Topsy-Turvy Chief Judges”. You can download the Investigative Report Set at: <http://rightabigwrong.org/download/topsy-turvy-chief-judges-investigative-report-set/>

rights throughout New York's justice system can only be executed through the use of her administrative powers, in ways that are prohibited by law. It is through her administration that the Chief Judge constructs and operates an organization to execute and protect the corrupt judging of parental rights. The Chief Judge must and has created the appearance of providing parents with adequate due process, while denying parents these rights, to protect herself from lawsuits in federal courts.

The investigation into Chief Judge DiFiore began with questions regarding her decision making in her personal review of Fasanya's judicial misconduct. The dispute with Chief Judge DiFiore arose when she refused to disclose any information about her review. The chief judge simply claimed she had the authority under her "fundamental principle of court operations." She refused to identify or define her "fundamental principle" or provide a citation proving its existence or her authority to apply her "fundamental principle of court operations" to the Fasanya Matter.

The investigation ultimately revealed that Chief Judge DiFiore had no legitimate power under New York State's constitution or its statutes to make her decision. The investigation revealed that the decision was actually an illegal enforcement of her own set of illegal and concealed rules. The Chief Judge has no authority or right to create the rules, much less enforce them. Point blank, the Chief Judge's concealed rules are illegal. The concealed rules cannot be legally approved because they are rules that allow judges to violate the laws governing the basic principles of due process and judicial conduct that form a court operation to administer justice.

Chief Judge DiFiore's decision to defend Fasanya concerns the relationship and compensation between judges and court-appointed private lawyers in private parental affairs. This is an integral and controversial part of the Chief Judge's organized and corrupt judging of parental rights. The Chief Judge granted Fasanya the authority to appoint a private attorney to represent my daughter, over my objections, and without hearing my complaints that Fasanya colluded with his appointed attorney for the child. I objected to the concept of unnecessarily exposing a guiltless child to a government agent who she cannot identify and innocently trusts. I specifically objected to my daughter being exposed to a government agent without my parental supervision. I especially objected to Fasanya's appointee because of her radical political beliefs and her religious, moral, ethical, and cultural views. The views of the government agent are diametrically opposed to my own, and the agent and Fasanya have the same fixed, radical attitude toward government power and personal behavior. I objected to the concept of being ordered to pay a judicial appointee without any accountability, control, or representation on the selection of the individual or

his or her beliefs.

I filed a formal administrative complaint with the Chief Judge against Fasanya and accused him of colluding with the judicial appointee and receiving direct personal benefits from the compensation he ordered me to pay his judicial appointee. She defended Fasanya without cause or reason. I filed legal action against Fasanya and was denied any due process, including an answer or discovery into the judicial appointee's value.

This article is about the Chief Judge's mistreatment of normal parents. These parents voluntarily come to court to address delicate interparental issue. They have intact and loving relationships with their children. They are normal parents that are not involved in any issue related to the state. Normal parents are not involved in cases of juvenile delinquency and are not involved in child abuse, child neglect, or crimes involving their children. These are parents and children who are not in receipt of public assistance, in receipt of safety net assistance, family assistance or other public assistance.

In cases involving crimes and public assistance judges are granted discretionary powers over the parental rights and parental financial agreements. A judge presiding over a civil disagreement between normal parents has no such authorized powers over these parents or their children. Chief Judge DiFiore has no authority to grant judges such power over normal parents. Yet she deliberately does so. She takes advantage of normal parents by permitting judges to engage in corrupt judging to disregard the irrebuttable rights of parents to act in a clear and intentional absence of jurisdiction and without authority.

The chief judge's corrupt judging abrogates the rights of non-custodial parents as if a crime had occurred and then untethers child support from the custody parent's obligation to the non-custodial parent as if state assistance funds were involved. The chief judge's only claim to having authority to permit and protect this corrupt judging is her vaporous and irrelevant "fundamental principle of court operations" that she used in the Fasanya matter. This dictatorial state invasion of family and property is what ignited the investigation into the chief judge.

The state Senators questioned Chief Judge DiFiore's liberal politics during her confirmation hearing. The Chief Judge answered the senators by promising that she would "make certain that each and every case that comes before me is decided on the merits without regard to any outside forces or influences. You have my word on that." Essentially, the Chief Judge gave the senators her official oath that she would not use her belief in political "social justice" rules to make legal decisions. The chief judge repeated her promise

in her February 8, 2016 Investiture Remarks.

The evidence proves that Chief Judge DiFiore is violating her oath when she judges parental rights. Justice seeks truth based on freely contested and tested facts and on laws without favor or discrimination. Chief Judge DiFiore's social justice rules allow judges to interfere with the creation of trustworthy records, permit favors, and discriminate against parents.

How does Chief Judge DiFiore do this? She allows judges to command court officers to deliberately and systematically suppress relevant facts, factors, and circumstances and to violate laws, including those that govern judicial conduct. Facts and adherence to the law are the fundamental principles that govern judicial authority and jurisdiction. The Chief Judge allows judges to fabricate charges that are not found in any state or federal law, code, rule, or text. Her judges prosecute charges without the existence of laws authorizing or identifying the charges. The judges are permitted to use court guards, who are hired and trained internally under her authority, to protect her treatment of parents and to silence parents who object to the manufactured charges and unauthorized rulings against them.

Consider the seriousness of the Chief Judge's violation of her oath and misconduct. The Chief Judge has displaced the fundamental obligation of judges to sincerely consider all relevant facts, factors, circumstances, and laws with the brutal, oppressive use of court officers and lawless fabrication of "social justice" charges. Consider the evil of replacing truth-seeking judging with deliberate judicial misconduct. Consider justifying this barely disguised corruption as a scheme to advance a disingenuous and concealed political agenda. What is even more unthinkable is that the Chief Judge operates such a concealed scheme at the state level for the purpose of separating parents from their children and to then prevent parents from accessing federal courts.

The state's Chief Judge is not elected but is politically appointed. She is appointed by the governor and holds all five of the state's highest judicial positions at once. This makes her the state's controlling officer of all three functions, legal, executive, and administrative, within the state's justice system. Chief Judge DiFiore essentially acts as a one-person branch of government.

The state's Attorney General is a central component to the parental rights deprivation scheme of Chief Judge DiFiore. The Attorney General and the Chief Judge have a concealed agreement between them. Under this agreement, the Attorney General automatically defends judges when they are challenged by parents. This protection shuts down a parent's right to have their challenges heard before the Attorney General is ordered to appear to

defend himself. Parents are denied the right to defend their rights.

New York citizens have a right to know the details and rules incorporated in the concealed agreement between the Chief Judge and the Attorney General. They have a right to know exactly why the Attorney General chooses to defend a judge against a parent every time Chief Judge DiFiore wishes it. These are cases that pit the government and a judge against parents who have normal, healthy and loving relationships with their child or children.

Under the unauthorized and concealed rules of Chief Judge DiFiore, trial judges are trained at a judicial institute and advised by a committee, and both are operated in concealment by judges. During their initiation, rogue judges learn the Chief Judge will protect them when they deliberately violate the rules that govern judicial conduct, directing proceedings as they wish or overtly showing bias and disrespect toward parents. This behavior by judges is not allowed in criminal court against hardened, violent criminals, so why is it allowed against parents?

Supreme Court judges have the authority to prevent inferior, limited-jurisdiction family court magistrates from exceeding their authorized powers. If they fail to do so, appeal judges have the authority to mandate that Supreme Court judges review the judicial conduct of the family court judge. However, under the Chief Judge's organized corrupt judging system, neither trial judges nor appeal judges are allowed to review judicial misconduct that the chief judge has determined to allow. The judges are trained to protect family court judicial misconduct and their conduct in clear absence of jurisdiction that is also beyond their authority.

What does the evidence indicate about the ideological parenting beliefs of Chief Judge DiFiore? Her judges are empowered as protected agents with the power to replace the justice of law and order with social justice based on favors and discrimination. Chief Judge DiFiore ideologically parenting belief is that parents who raise their children in accordance with their own beliefs deny children freedom and dignity while her judges act illegally with concealed "dark playbooks."

All fifty of the Chief Judges form the "Conference of Chief Justices." The Chief Judges do not disclose guidelines, policies, and rules on how states must respect, honor, and consider US Supreme Court rulings on the superiority, over the state, of the parental rights of normal, healthy, parent-child relationships.

Why and how is the unauthorized removal of parental rights allowed?

Americans live under two constitutions: the US Constitution and the constitutions of their state of residence. Federal and state courts honor authority under a doctrine of law called “comity.” Federal courts are located within the states and interact with the Chief Judges and their delegates on a polymorphic level. Corrupt judging places parental rights squarely in between the discretion of the federal and state courts under another doctrine of law called “Younger Abstention.”

As a result, the superior parental rights of parents are oppressed under the tyranny of Chief Judge DiFiore’s illegal rules. This real circumstance is what allows Chief Judge DiFiore to abrogate due process, evidence and discovery rules, fairness in hearings, laws restricting and governing the use of court fees, and contempt to protect citizens.

Chief Judge DiFiore’s misconduct has created state-sponsored tyranny. In New York, the Chief Judge has refused to provide fundamental and basic information, requested under the Freedom of Information Law, about the Chief Judge’s rules, which allow unauthorized “interim” suspension orders.

Normal parents have rights that are undeniable and irrebuttable. There is no valid excuse, legal or otherwise, for why the power of this ‘topsy-turvy’ Chief Judge has come into existence or why this power over the people is allowed to exist. Chief Judge DiFiore’s judicial tyranny over normal, healthy, parent-child relationships exists. It is beyond reasonable denial. It is real and concrete. It is outrageous that it has flourished on American soil, and it is time for Americans to take back their natural God given rights.

***About RightABigWrong.Org and
Americans' Irrebuttable Parental Rights***

Manuel P. Asensio is the author of *Topsy-Turvy Chief Judges* and the founder of RightABigWrong.Org a non-profit organization dedicated to investigating and reporting on how the administrative power given to chief judges to make 'payroll and keep the lights on' are deliberately abused to affect citizens' rights and judgments. This article is based on discoveries I made as a parent in litigation against Chief Judge DiFiore. The litigation is based on the chief judge's conduct and the attorney general and governor's refusal to address the chief judge's misconduct in what is identified as the Fasanya Matter.

RightABigWrong.org examines state family law systems where Chief Judges deprive parents of due process, parenting rights² and deny parents federal protection from illegal acts permitted by Chief Judges.³

The Declaration of Independence warns us that we "are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which [we] are accustomed." The "evils" of which our Founding Fathers warned us are violations of our "inalienable" natural rights. Our natural rights are not dependent on law; they are given to us by our Creator and not by government. There are no more powerful or more legally secure and protected natural rights than the right to a fair and impartial judge.⁴ These rights are embodied in a parent's right to rearing and companionship of his or her child, in the ten due process rules for conducting a fair trial and our right to due process to protect our parental rights.⁵

For a detailed disclosure on my personal and professional background and the causes and reasons that led me to conduct this investigation of Chief Judge Janet DiFiore's family law practices please refer to "*Origins of Topsy-Turvy Chief Judges*" located at: rightabigwrong.org/download/topsy-turvy-chief-judges-investigative-set/. In addition to "*Origins*," a law article on the matter has been produced titled "*Topsy-Turvy Administration of Parenting Rights in New York*." This law article is available upon request.

² see *Annexes of Authorities* Annex I: "Legal Authority Protecting Natural God Given Parental Power and Rights"

³ see *Annexes of Authorities* Annex II: "Legal Authorities on Citizen's Rights Against Government Intrusion"

⁴ see *Annexes of Authorities* Annex III: "NY State Laws and Rules Governing Judicial Conduct"

⁵ see *Annexes of Authorities* Annex IV: "Substantive Due Process in Parental Rights"