

Please submit in today's
written testimony,

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August 20, 1996

Pennsylvania State Representatives

I come before you for the fourth time in two years. Each time with the hope that amongst you there would be one descent person who has the integrity and courage to stand up and protect the people of whom you represent. Each time I learn that the meetings scheduled by your committee regarding the courts are nothing but a cheap political trick, where politicians would have the public believe the fraud to truth and justice in Pennsylvania. The real purpose of these meetings is subterfuge and damage control in the belief that the legislature can fool all of the people all of the time.

With the recent revelations concerning corruption high up in the Pennsylvania Supreme Court, it is clear that politicians are very much concerned for themselves and their positions, rather than showing concern for the public interest by **taking steps to reform the corrupt legal system in Pennsylvania.**

The various public meetings which your committee has held in the past have proven to be merely public circuses in an attempt to placate aroused voters.

It is inconceivable that lawmakers do not recognize that increasing numbers of voters are aware that the Pennsylvania legislature has no real interest in court reform. Unfortunately, politicians turn a deaf ear to the abuses inflicted by lawyers and judges. Ironically, these are the people that you turn to for guidance. In other words, the inmates are running the asylum and you continue to accept that as status quo.

All over this Commonwealth, there are powerful, prominent men who have reached their tentacles into the court system by placing certain judges into office. Pennsylvania ranks highest among the nations corrupt judicial system that is the **"best that money can buy."** To those of you who have never been abused by this corrupt system these are only meaningless words. Nevertheless, victims have suffered beyond the imagination and for this no amount of money can compensate for the hardships, pain and suffering of the families. Powerful men control the courts regardless of whether judges are elected or selected on personal merit. Whether divorce is no fault or not will not change the abuse that

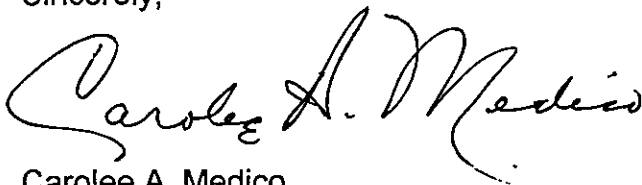
litigants are forced to endure because corrupt politicians will not agree to make judges, lawyers and court officials accountable for their conduct and back room dealing.

Without a system of accountability, personal corruption will continue to fester and reek throughout the entire court system. Wealthy, well-connected people will continue to use the courts as a tool to deny and destroy their spouses. Sadly, our children also get caught up in this as well. Lawyers and judges assist in "legalized crime," and legislatures pretend that it isn't happening.

This is 1996 and instead of our legislatures enforcing the laws that we have, they continue to endorse criminal conduct, waste the taxpayers money on making new laws, and holding meaningless meetings. In the meantime, families are literally being destroy emotionally, financially, and physically.

**SHAME ON YOU. SHAME ON EVERY ONE OF YOU,-----
WITH YOUR HEAD IN THE SAND.**

Sincerely,

A handwritten signature in cursive script that reads "Carolee A. Medico". The signature is fluid and somewhat stylized, with the first name being the most prominent.

Carolee A. Medico

...and justice for all?

How the state's courts are anything but just in handling domestic disputes...page 3



Citizens' Voice/Mark Moran

Special report

State domestic relations judicial system under fire

Critics say the courts regularly treat women unfairly in disputes

By **RENITA FENNICK**
Citizens' Voice Staff Writer

Allegations of injustices and improprieties stemming from domestic relations disputes, like those made by Carolee Medico of Luzerne County, are not unique to Luzerne County.

"I just want people to know the truth."

Reports of illegalities — including discrepancies with court transcripts and official documents — are increasing in all regions of the Commonwealth, and, according to a proposal introduced three years ago in Harrisburg, "Pennsylvania Rules of Civil Procedure are being violated in domestic relations cases on a daily basis."

Three years ago, 35 state representatives — mostly Democrats — from at least 17 counties sponsored House Resolution 8 calling for the creation of a seven-member Special Domestic Rela-

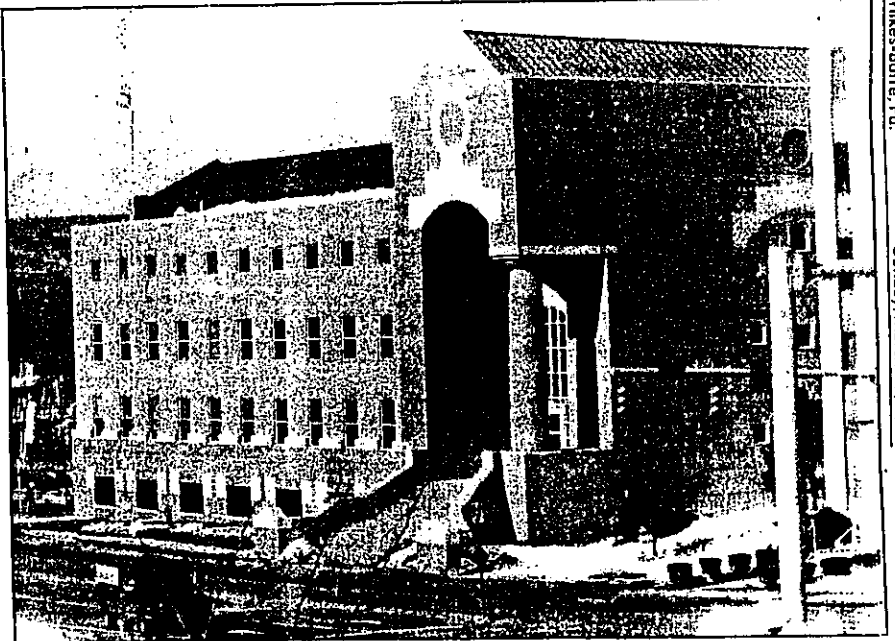
tions Task Force to investigate the "injustices of domestic relations judicial proceedings."

Introduced Jan. 29, 1991, the proposal's prime sponsor, Rep. Timothy L. Pesci (D-Armstrong County) was instrumental in setting up hearings before the House judiciary committee later that year. Nearly 40 men and women offered detailed testimony regarding their problems with the domestic relations system.

Several calls to Pesci's district office on Friday were not returned; the status of the resolution could not be obtained but some of the individuals who have been following its progression said, "It hasn't gotten anywhere."

Stating "many litigants are being denied due process as a result of clandestine, out-of-court settlements," the resolution calls for the task force to conduct an 18-month investigation funded by the Department of Public Welfare.

Public accusations of criminal wrongdoing and improprieties in the Luzerne County judicial system have been made by Mrs. Medico, who is embroiled in an 11-year dispute stemming from divorce proceedings with her ex-



Building where domestic relations cases are heard

husband, Charles P. Medico, a local businessman.

The Medicos, divorced in 1988, entered into a property settlement in November 1989, which Mrs. Medico later sought to have

nullified because she claims she was under the influence of tranquilizers at the time.

The validity of the settlement was upheld in the county courts three times and is currently on

appeal before the state Superior Court.

One of the allegations made by Mrs. Medico, who represented

(See PANEL, page 28)

Panel taking look at way domestic cases handled 'going nowhere'

(continued from page 3)

herself in court this week on related issues, is that a statement she made at the 1989 hearing before Master Sandor Yelen concerning her ingestion of the tranquilizer Tranxene was not included in the transcript of the proceedings. (In domestic relations cases, a judge appoints a lawyer to serve as master; the master then presides over divorce hearings and makes a recommendation to the judge.)

The woman's acknowledgment of taking the tranquilizer is evident on an audio tape of the hearing though a review by the Citizens' Voice indicates the statement is not included on three separate transcripts of the proceedings.

Mrs. Medico, who has launched an extensive letter-writing campaign to every public official from District Attorney Peter Paul Olszewski to President Bill Clinton, this week received — unopened — a letter she had sent to Judge Robert N.C. Nix, Jr., chief justice of the Pennsylvania Supreme Court.

The letter, with Mrs. Medico's return address in the upper left-hand corner, was sent by certified mail to Nix's office at South Penn Square, Philadelphia. The letter was returned — unopened — with "Refused" and "Return to Sender" stamped on the envelope.

A spokeswoman for Nix's office verified the mailing address Mrs. Medico used was accurate and explained the Chief Justice "never accepts registered mail."

"It's a policy he has," she said. "Tell whoever it is to send a letter by regular mail."

Mrs. Medico said she sent several letters to Nix by regular mail but has not received a response.

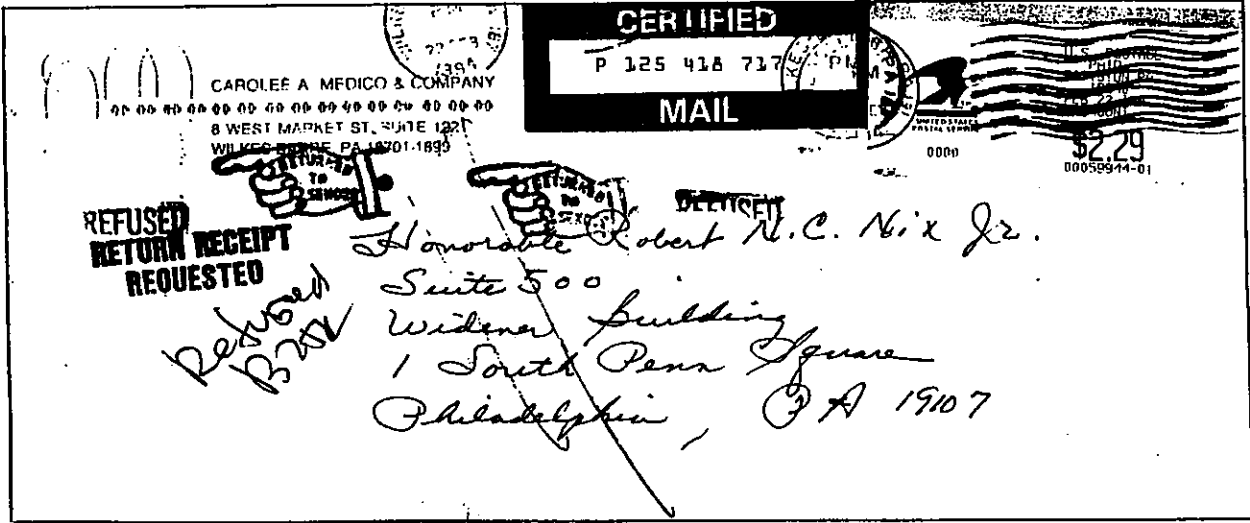
Old problems, new faces

Though the names, faces, ages and backgrounds of the individuals who claim to be victims of the Pennsylvania judicial system are different, there is a common thread: In each case, the person, usually a woman, is fighting a spouse who is wealthy, powerful or well-connected.

The personal profile of the typical litigant also follows a pattern: He or she is embroiled in a battle that wages on for years and often is depicted as crazy, stubborn and disgruntled by judges, most members of the legal profession, and, at times, family and friends.

Since domestic relations cases are confidential, the public does not become aware of the goings-on at the local courthouse until one of the parties chooses to go public.

But, most members of the news media frown upon reporting incidents that originate in domestic relations court, unless the complaints lead to criminal accusations — like Mrs. Medico's charges that transcripts were altered and official court documents are missing from her file.



Letter returned to Mrs. Medico by Judge Nix

When a person decides to reveal what she believes is an "inconsistent" legal system, she often uses any method to get her message across — like 70-year-old Charlotte Bogart who stood outside the entrance to the Dauphin County Courthouse last October, distributing her "statements of facts" to anyone who was willing to accept the flyer.

"I just want the people to know the truth," Bogart, a Mechanicsburg divorcee who has been fighting the system for 24 years, told the Citizens' Voice. "The judges and courts are ignoring the laws. They expect us to abide by the laws but they don't."

Bogart, who was married in 1946, worked as a secretary until age 68 because she couldn't afford to retire.

"My troubles started in 1970," she said. "I was a victim of domestic violence. The charges were filed in Cumberland County and my husband was ordered to prison but another order was soon issued and he never spent a day in jail."

Bogart said she and her husband reconciled but when the marital difficulties escalated, they separated again and the woman filed

for divorce in 1981 — this time in Dauphin County.

"I was afraid of the Cumberland County courts," she said. "I was shuffled back and forth between the two counties but never obtained support, alimony or assistance with my legal fees. I was awarded the marital home but the value of the house is negated by the \$100,000 I've paid in attorneys' fees. Meanwhile, my husband, who owns seven properties in four states, spends his winters in Florida and summers along the New Jersey shore."

One of Bogart's complaints is the hearing master refused to consider an agreement written and signed by her ex-husband that the couple re-united and lived together until 1980.

"Regardless of that, the court decided the separation date was 1970 and ignored the next 10 years of roughly \$500,000 of marital assets that I helped earn," she said.

Bogart, who testified before a House judiciary committee in 1991, said she would like to leave the messy divorce behind and live her retirement years in peace — but the case is still ongoing. On Friday, she was notified one of the

disputed properties owned by her ex-husband, to which she had attached a claim, was sold.

"The money was already distributed to my ex," she said, adding, "without my knowledge. I received nothing. It was sold even though the title was not clear."

A question of accountability

Also testifying before the legislators was Mary Sue Johnston, 62, of Oakmont in Armstrong County, one of Pesci's constituents.

Johnston, granted a divorce in 1986 from her husband, a prominent banker in western Pennsylvania, is still tangled up in litigation.

"I refuse to sign the final papers because I never had a legal hearing," Johnston said. "They — the lawyers and judges — are all in it together. Some things were said at my master's hearing which did not appear on the transcripts. I wanted half of our stock, which was worth about \$143,000 and I wanted to sell our home and split up the profits. The master said the stock was only worth \$38,000 and he awarded it to my husband."

"He gave me the house, which I didn't want because I wanted to relocate," Johnston said. "When I

got the house, I found out it was going up for sheriff's sale because my husband hadn't paid the taxes."

Johnston, who uncovered discrepancies in her transcripts and a conflict of interest between some of the attorneys involved, followed a path through the legal system similar to that of Carolee Medico: SSe wrote letters to every legislator and public official she could find.

"When I went to the district attorney, he came out to the waiting room and screamed: 'Hit the road!'"

She also pleaded her case to the disciplinary board, the judicial review board and the state attorney general — all to no avail.

"You feel so violated," Johnston said. "They take control of your life. Some days you are so down, then you get yourself up again. When you are fighting as long as we've been, you are no longer just doing it for yourself."

"You're fighting for the rights of everyone," she said. "It is so scary. Everyone is accountable to someone, except for judges. They are accountable to no one. If this could happen to someone in a divorce case, it could happen to anyone in any case."

Resolution has no sponsor from Luzerne County

By RENITA FENNICK
Citizens' Voice Staff Writer

House Resolution 8, introduced Jan. 29, 1991 by 35 state representatives, called for the establishment of a Special Domestic Relations Task Force to "investigate the injustices of domestic relations judicial proceedings."

State Rep. Timothy L. Pesci, a Democrat from Armstrong County, was the prime sponsor of the proposal which included the names of 34 other legislators, mostly Democrats.

The resolution was followed by a House judiciary committee hear-

ing which spelled out the problems and charges of illegalities facing individuals in the state's divorce courts.

Of the 35 legislators from at least 17 counties who sponsored the resolution, 30 are still members of the General Assembly — 23 Democrats and seven Republicans.

There were no sponsors from Luzerne County.

The resolution called for the creation of a seven-member task force to be appointed by the lieutenant governor, including:

- two members of the General Assembly.

- two representatives from an organization acting on behalf of the litigants.

- one retired judge with extensive family law experience.

- one retired attorney with extensive family law experience.

- one official from the state Department of Public Welfare.

The task force would be required to submit a report of its findings and recommendations to the General Assembly within 18 months. An appropriation would be made to the DPW to fund the probe.

- The resolution states:
 - Pennsylvania Rules of Civil

Procedure are being violated in domestic relations cases on a daily basis.

- There is extensive documentation of these violations.

- Many litigants are being denied due process as a result of clandestine, out-of-court settlements.

- Approximately 93 percent of all complaints brought to the Judicial Inquiry and Review Board and the Disciplinary Board of the Supreme Court are dismissed.

- The injustices in domestic relations court have driven litigants to financial and emotional distress.