

## THE SAGA OF FELON ALLISON SCOLLAR

GAY, WHITE, DISBARRED LAWYER and STILL NOT IN JAIL?

STILL IN POSSESSION OF FULLL CUSTODY/DECISION MAKING

NOW WE REALLY WANT TO KNOW WHY?.....

WHERE WE LEFT OFF FROM PART I ([LINK TO USW PAGE](#))

Brook Altman stared in disbelief as she was confronted with the decision of Judge Gloria Sosa-Litner. Judge Sosa Lintner stated on the record that, Brook Altman the biological mother was the “less responsible parent”, the “less truthful” parent, that she treated her daughter, age 3 ½ yr. old (d.o.b.-10/2/2006) more as a “sister or a friend than a parent”. These were the reasons given for custody transfer of the bio parent of a forty five year old publically acclaimed, highly successful TV producer and director (four time Emmy winner). With these words that were such a complete departure from reality, Altman knew that there was something intrinsically wrong with the process in which she was now enmeshed.

Brook Altman agreed with her partner, Allison Scollar, prior to the child's birth, that she would adjust her work schedule to be at home with the child. They agreed that Brook would cut back from full time work, from her career, to care for the child Scollar shared through a second parent adoption. Careful thought and planning for the care and long-term protection of the child included having a loving, committed father as well as having two mothers.

Altman was haunted by questions as to how this could have happened? How could an argument over Scollar's out of control alcohol consumption and drug abuse of unprescribed prescription medications have erupted into false allegations of absconding with her child, choreographed by the sudden appearance of lawyers from the prestigious law firm Blank, Rome. The law firm consciously participated in Scollar's mission to eliminate Altman from the life of her child as they engaged in the process of disseminating multiple lies that advanced a picture of Scollar as the “More Responsible Parent”.

A review of the court transcripts presents a litany of factually false representations never corrected by Altman's attorneys. The first lie on the record before former

Judge Gloria Sosa-Lintner, stated that Allison Scollar was “the custodial parent and the child resided with her since adoption”. No custodial papers were requested, elucidating the precise terms of custodial responsibility for the child who lived with both parents who were living together by mutual consent.

Marilyn Chinitz, Esq. of Blank Rome, Manhattan law firm was paid one thousand dollars an hour for her services. Her colleague Brett Ward was paid another \$800. per hour. GAL Rosemary Riviuccio, Esq., Attorney For the Child, paid by both parties, but allegedly paid for her allegiance by Allison Scollar, has a history of complaints for lies and bias on behalf of the partner in a superior equity position. Rosemary Riviuccio has a history of complaints written to the Grievance Counsel of the Bar\*.

Scollar's team was allowed to vilify Altman in court, in the Press (NY Post Articles), on radio DivorceForce.com and in a Blog, featuring Chinitz and Scollar broadcasting multiple false-hoods about Altman. In open court Chinitz vilified Altman stating that “She (Altman) hasn't worked a day in her life..... she is a “vagabond”. The New York Post was the first to release the story of the Landmark case, dating back to Oct. 1, 2012, Scollar, Chinitz and Judge Gloria Sosa Lintner spoke to the NY Post to release the story themselves initially, stating, “It is a step closer to the gay community being acknowledged as parents”. The interview was conducted from the offices of attorneys Marilyn Chinitz and Brett Ward, of Blank Rome. Marilyn Chinitz stated, ”the law needs to catch up to diverse families-and it has”. Judge Sosa-Lintner, in a separate interview added, “Although Altman is the biological parent, this does not give her an automatic priority over the adoptive parent. This is analogous to a father getting custody of his own child, where only the best interests of the child are paramount. A new precedent was set by this case which remains in place to this date.

Further, Altman's complaints to the police that Scollar threatened her life after a physical attack on Altman's person, in front of Altman's child was ignored. The incident was the subject of a Police report. Altman petitioned the court for an Order of protection that was rejected by former Judge Gloria Sosa-Lintner.

The FCVFC filed complaints against Rosemary Riviuccio with the Grievance Counsel of the Manhattan Bar Association over the course of the year 2016. Threats against Altman's life have now been documented and substantiated in evidence to be presented in further current litigation. Scollar's drinking and driving with the child while in her custody/possession, in violation of a court order was

never challenged by the court, despite the fact that Altman raised the issue on a number of occasions by way of OSC. The fact that Altman raised the issue was used against her, as if she was desecrating the good name of the person whom she was bringing charges against and presenting reasons for the need to defend herself and her child's safety.

How could Altman's lawyers not have challenged the statements; How could multiple statements which were contrary to fact be totally overlooked, disregarded, dismissed, procedurally evaded; How could Allison Scollar have afforded the initial thousands of dollars in legal fees that blind-sided Altman when she took their daughter on an agreed upon visit to Altman's mother in California, tickets paid for and booked by Scollar. Scollar, in a calculated legal maneuver (filing a Temporary Order for Custody) charged Altman with absconding with the child). In rapid succession, Altman was served papers at the airport upon landing. Scollar then removed the hysterical child to her possession. The child had never known any other full-time care taker other than Altman who was suddenly removed from that role. The child's father, a constant, loving presence in her life was similarly suddenly removed amidst a storm of vile, lurid accusations against him. In court, Scollar's representatives falsely characterized the father's role, succeeding in eliminating him from the child's life for the next five years.

Again, Altman wondered how Scollar, an attorney engaged in the legal practice of filing closings on New York real estate, with a reasonably substantial income, but equally substantial personal financial responsibilities could possibly afford the retainer demanded by the law firm Blank Rome, an international law firm of more than 600 lawyers, as well as affording ongoing litigation expenses such as the costly retainer for a Forensic Psychological Evaluation court ordered by Judge Sosa-Lintner and GAL Rosemary Riviuccio. In addition to engaging the Blank Rome law firms two attorneys, Allison Scollar also engaged the law firm of Akin Gump, another international law firm staffed by more than 500 lawyers. Attorneys Sean O'Donnell, Dean Chapman, Richard Williams, Jennifer Woodson, Jennifer Cuatt, were awarded Honors in the Pro Bono Hall of Fame by the Supreme Court of the US for their representation of the case of Allison Scollar v. Brook Altman which resulted in the upholding of the custody transfer of a biological child from their biological parent. Brook Altman asked this question of a succession of lawyers she retained with limited results. One high profile attorney after another, (Amy Richter, Lawrence Greenberg) failed to answer Altman's question, How Could This Happen To Me and My Child?

The elephant in the room question never fully broached was, is someone, or several critical court actors in fact being “paid off “or “influenced”, in some manner, to favor Allison Scollar over the biological mother, innocent of any charges of neglect or abuse – if they had ever been charged? No charges against Brook Altman were ever lodged, her fitness was never challenged, though a series of inaccurate/false statements about Brook Altman, in part, inserted by the Forensic Evaluator, Sara Weiss PhD were able to negatively shape a narrative as to Altman's fitness. Scollar was chosen as the “better parent”. All stigmata inducing an opposite opinion was downgraded or disregarded, unchallenged by Altman's attorneys and weighed heavily by Judge Sosa-Lintner.

The custody trial began in 2011 following the completion of the Forensic Evaluation conducted by psychologist, Sara Weiss PhD. According to court documents, on or about June 2011 Scollar had been acting in concert with co-conspirators misappropriating funds from her escrow account. According to evidence provided to the FCVFC, Scollar had been using both personal funds and escrow funds beginning in September 2010 as money given to co-conspirators as a “quid pro quo to help influence her custody case” in Manhattan Family Court. Scollar allegedly engaged co-conspirators to act as conduits for payment to family court judges and other state actors.

Judge Gloria Sosa Lintner stated in her closing comments before ordering custody to Scollar that she too felt that statements of both parties were extremely compelling but Scollar had a better grip on the facts than Altman. No one seemed to have adequately vetted the facts so that they would conform to the law guiding Best Interests of the Child, through which Judge Sosa-Lintner claimed authority.

Scollar was arrested on 11/17/2015 when the criminal case against Scollar commenced and was entered into the court record of the Superior Court of New York SCI-04617-2015. Scollar entered into a guilty plea and cooperation agreement that was filed under seal in criminal court on 11/18/2015 case prosecuted by the New York County District Attorney's Office, ADA Sara Sacks. There is still no clear understanding as to why this case was sealed or needed to be sealed.

In the family court appearance before Judge Adam Silvera on Sept. 27<sup>th</sup>, 2017 Allison Scollar denied any criminal prosecution or knowledge of any criminal action against her. The lie under oath was an act of perjury, overlooked by Judge Silvera's court. Scollar's case was unsealed/became public record on Nov. 17, 2017

having evaded scrutiny of the family court for more than six years. Because her case was sealed, the relevant information that should have been known to Manhattan Family Court was not able to be acknowledged by Family Court until a hearing scheduled for April 9<sup>th</sup>, 2018.

Scollar denied allegations of her criminal activity under oath, in family court and further stated, that it was Brook Altman who was under investigation, not her, (Scollar).

Dr. Weiss whose professional engagement in the case has been questioned since the FCVFC was able to review her reports and her testimony at trial and has herself been the subject of speculation as to her involvement with Scollar's cover up of pay offs because of the alleged gross incompetence and innate bias of Weiss's so called forensic report. Fueling speculation as to court actor involvement in this case is the fact that the Judge Douglas Hoffman, insisted on Weiss and only Weiss be considered as the evaluator ordering Weiss be paid an initial retainer of \$8,000.00 and \$500/hr. and Weiss may engage any specialist or expert in a particular field at the fees for any such evaluation including an initial retainer and subsequent fees... The normal process would be that if a provider was objectionable to either party, another evaluator could be chosen from the court list of acceptable providers, with possible consultation with the former evaluator. In this case absolutely no flexibility was afforded, despite the fact that the child's attorney objected to Weiss as the evaluator.

Brook Altman retained the services of the FCVFC as of Dec. 2016 and then clarity was followed by effective intervention. The severe character pathology of the felon, Allison Scollar was not apparent to the court as indications of a pattern of lies and larceny were allowed to be obfuscated by the alleged defective "Forensic Evaluation" of psychologist Sara Weiss PhD, a frequently appointed operator before the family court. Dr. Weiss has been noted by staff of the FCVFC in several cases where one parent was identified as displaying the most disturbing elements of danger to the children in question and yet her "evaluations" masked the clearly evident symptoms of what the FCVFC defines as predator pathology. Complaints against Dr. Weiss to the court filed by the FCVFC detailed the basis for complaint and the nature of mal practice committed. The nexus between the court's procedures blocking psychology boards ability to provide oversight of practitioners engaged to prepare custody evaluations is a critical problem in blocking accountability of professional providers.

The role of the evaluator is so protected and often so heavily weighted that when able to evade scrutiny and accountability, the unethical custody evaluator can provide an easy short cut to preferable custody consideration. The criminal action described by the FCVFC as “Cash for Kids” is of constant concern. Dr. Weiss's finger and foot prints were clearly visible in the absence of attention to highly visible symptoms of major personality disorder pathology evident in all that was absent from her expensive, superficial work product.

## MOVING FORWARD – POST SCOLLAR FELONY CONVICTION

The multiple bad acts represented by unsubstantiated opinions, irrelevant arguments, inadmissible hearsay, personal opinion and anecdotes were put forth in writing and court testimony presented to rebut uncontroverted fact, undisputed legal positions as the bulk of the work product put forth by Allison Scollar and her legal team for nearly six years. Supported by judicial authority lies and larceny maintained the separation of mother and child, based on fraud.

Of greatest significance is the fact that the Protective Parent Brook Altman was represented by multiple attorneys, several judges, who ignored, did not confront, multiple lies and misrepresentations, deliberate acts of felony frivolous malicious litigation and contempt for court orders, when those acts and orders were directed at Brook Altman. These ignored acts, orders and pronouncements, amounting to “permanency” created a false environment of stability and “normalcy”. The child had no voice in proceedings, other than the faint murmurs uttered through the court ordered attorney, which were easily dismissed by one judge after another.

The need to confront multiple acts of fraud, lies and larceny was presented with an avenue for discovery via the exploration by the FCVFC staff for seeking information gleaned from learning that Allison Scollar was a “cooperating witness” with the Manhattan DA's office. Contact with the Manhattan DA's office and key participants in the case allowed significant pieces of critical evidence to be brought forward which clearly exposed the facts of Allison Scollar's criminal behavior. The conscious intent of Allison Scollar's legal team was exposed as to their attempt to obfuscate, through radio shows and Blog reports, the motives of pure greed and grandiose sense of immunity from consequences related to her multiple acts of theft and money laundering. Multiple criminal acts continued to be concealed from the family court proceedings, as Allison Scollar was engaged in criminal activities, at to the onset of custody litigation.

Criminal behavior was only exposed because a real estate closing that could not proceed as a result of \$1.2M in funds missing from the law firm's escrow account that were traced to Allison Scollar. Scollar's attorneys protected her by making sure that the criminal case was sealed. Brook Altman's attorneys had failed to protect her by failing to follow the evidence, ignoring the evidence and pressing her to follow the mundane, familiar path of exorbitantly expensive, often questionable, evaluations and not confronting difficult legal issues related to evidence and litigants rights.

## UNDERSTANDING THE FRAMEWORK OF FAMILY COURT PRACTICE

EVERY CASE IN FAMILY COURT STANDS ALONE AS PER JUDICIAL DISCRETION

EVERY CASE MUST STAND ON ITS OWN FACTS

Individual stories of Family Court horrors continue to be dealt by the uninformed public as isolated, events as if they are random atrocities, attributable to the poor judgment, bad luck of some poor, wretched man or woman who has had the misfortune to engage the wrong lawyer or appear before the wrong judge. These self-serving apocryphal tales, protect against mass panic and do not apply to reality of family court discretionary practice, except in understanding the utter helplessness experienced by Protective Parents attempting to shield their abused children from the lies, libel and defamation atrocities visited upon them by Family Court Actors across the country.

Parents met with such horror, stemming from autocratic acts allowed by contempt orders, or simply orders following hearings and trials imposed as the most coercive power of the court compels reactions of massive denial and disbelief, individual immobilization and the shattering of trust in our governmental institutions.

The awareness of utter helplessness to combat wrongful decisions or knowing that wrongful decisions will take months or years to confront and change, when the lives of innocents are instantly damaged for years, if not forever, met with multiple forms of denial on the part of effected parents and families. The correlate of the impact denial for families is the denial of court actors related to the damage done as per minimization of the numbers of people effected, impact on effected populations and blaming the victims – parents are culpable, children are lying or “coached”.

Because victim outrage is blunted and then repressed, as victims retreat into a “new normal” without their children, or the struggle to reclaim them, the offending parties – judges, lawyers, court actors, expert professionals who betray their fiduciary responsibility are not held accountable for their bad acts. Further reasons for the ability of the self-serving, self-satisfied family court system to continue in an atmosphere of ignorance and lassitude is the lack of accountability of those court actors afforded immunity and qualified immunity to be held accountable to a level of professional standard of care and practice.

Expert witness work product is shielded from the view of those most fundamentally subjected to the effects of that work product – unless the subjects vociferously object and fight for the rights due them. Further, child victims of wrongful custody transfer experience a form of crushing trauma that breaks their spirit, their capacity to meaningfully rebel, take action, confront. The consequences of traumatic custody transfers are both immediate, very long term and given limited attention by psychologically ignorant or tone deaf judges and court actors.

The fears of overwhelming control and loss are lessons early learned by vulnerable children and helpless parents as they are forced to submit to wrongful acts at the hands of a tone deaf, indifferent, often ignorant court system. The damage done to each child and extending beyond each child to the fabric of a democratic society is being experienced in our time. For these reasons, each wrongful custody transfer must be prosecuted to the nth degree holding every court actor, every professional accountable for espousing junk science, vile/sadistic treatment programs, harm done to each child, each parent, sibling, victim associated with wrongful separations must be held accountable for harm. The liberty rights of parents to protect their children, children to experience loving, families, safe from the intrusions of an autocratic state or social engineering policies promoting theories or funds must similarly be aggressively protected.

IF WRONGFUL CUSTODY TRANSFER CAN HAPPEN TO BROOK ALTMAN ....  
IT CAN HAPPEN TO ANYONE!

#### LESSONS LEARNED – IMPLEMENTATION OF NEW INFORMATION

The immense majority of high conflict custody subjects who populate family court are difficult subjects because they are unique. They do not obey the rules or functioning of the majority of families who are subject to reasonable techniques of mediation and resolution. The extremely high conflict cases present with secrets to

hide – violence, sexual practices that are abhorrent to healthy child development, intense needs for oppressive control, similarly abhorrent to interpersonal cohabitation. These extreme cases teach us about the need for intense scrutiny, examination of evidence and the preclusion of making broad generalizations or ascribing the rules of private norms to the litigants presenting with urgent complaints. Further, the litigants before the court should not be the grist for grinding out public policy alteration, however dear it is to the “Fact Finder Authority”.

The “Best Interest Judicial Standard is just about infinite as to the factors able to be considered. It is indeterminate as to time frame, past and present. The “Best Interest Standard” is related to the child's well-being, developing character traits considered valuable to a citizen and only limited by a factor that an Appeals Court would consider unconstitutional. Best Interest Standard is tailored to judicial discretion as is clear in the case of Painter vs. Bannister where a seven year old boy was awarded to his grandparents instead of his father. Judicial discretion was based on such factors as, the father was described as an agnostic, politically liberal, living in an unpainted house in Northern California. The court decided that the father was unconventional, unstable, bohemian, whereas the grandparents were considered to be well respected in the community, church going and capable of nurturing the traits found desirable by the judge. The child's preferences were never mentioned, (Painter v Bannister, Iowa Supreme Court 1986).

Judge Gloria Sosa-Lintner apparently advocated for an artificial standard for custody assignment separate and apart from scholarly, well studied, material in the areas of child health and development. One might suggest that Sosa-Lintner was invested in helping the court into the 21<sup>st</sup> century of respect for LGBT rights. The stripped down argument of Sosa-Lintner that reasoned for removing a child from the biological parent was like that of a “father getting custody ....., except – it is not. As the FCVFC has stated in prior articles, Sosa-Lintner defied God and science creating a precedent setting case that defied civil and criminal law and ignored child Best Interests.

That which the FCVFC found most prevalent, through this case, was a pattern of failure to challenge incorrect facts, a failure to challenge incorrect psychiatric knowledge, and a failure to challenge the judge and other authority figures who mounted a campaign against hard evidence. Evidence existed as an autonomous element of the case and thus was capable of examination. Judge Sosa-Lintner described/referred to Brook Altman as the more “free spirit”, poorly disciplined,

late for appointments, not consistent as to information presented and seemingly of most importance, not as financially well off as her partner. Apart from Judge Sosa-Lintner's statements on the record being factually incorrect in many instances, the context of broadly based comments was ignored.

Upon thorough review of the transcripts, critical elements of the relationship agreements and complaint were ignored, limply questioned or decisions were deferred to the discretion of the court. The court was not addressed/held accountable by attorneys to clarify, substantiate decisions. The defendant was not able to / did not dispute and re-argue. When it came to issues of adverse advocacy, clear bias, inaccurate statements, the fact that certain court actors had qualified immunity caused critical issues – one after another to be deferred or ignored by the court. The quality of the Forensic Evaluation, the conduct of the evaluator in moving forward with the evaluation was unable to be disputed or evaluated – first – because the evaluator said nothing of substance in the report, avoided areas of potent contest, omitted implementing psychological testing, the one element of her work that would potentially have yielded useful work. Upon completion of the work product, the evaluator, whose work was subject to scrutiny was exempt from critique or replacement because of qualified immunity and judicial protection, because the quality and content of her work was upheld. The autocratic, rigid nature of judicial protection in itself raised eyebrows and occasioned scrutiny. Work product not subject to peer review, critique, afforded unqualified discretion is a dangerous litigant status.

The case before us demonstrates dramatically the importance of extreme attention to the utmost detail, to the need to track down elements that do not make sense, for purposes of clarification and the need for absolute transparency in all elements of truth as to character and bad acts of litigants. The failure of critical court actors willingness to overlook, go along to get along, suppress, manipulate critical facts for personal gain, personal agendas, the innate policy/procedural issues of the court process delays, proper adjudication of cases that severely injure children are needlessly expensive, time wasting and personally destructive to litigants.

The role of attorney representation is aggressive client advocacy, though lawyers tend to have judgment and sensibility guided by sensitivity to known judicial sentiment. The FCVFC strongly advocates for attention to core issues able to be precluded in the courts by fancy foot work around rules of evidence not necessarily protected by judicial discretion in attention to child protection. The areas of child physical, sexual, emotional abuse present with subtleties and

anomalies outside of black letter law, within the realm of undue influence and outright fraud. When an environment exists where there is an inference of abrogation of child protection, every effort must be brought to focus on any activity that interferes with child protection.