

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-  
DADE COUNTY, FLORIDA

**IN RE: MATTER OF:**

FAMILY DIVISION  
Case No.: 11-21207-FC-04

MARIO JIMENEZ  
Petitioner/Father,

JUVENILE DIVISION  
Case No.: D13-15193A-B (D003)  
(closed)

and

KAREN WIZEL  
Respondent/Mother.

DOMESTIC VIOLENCE DIVISION  
Case No.: 12-17840-FC-04 (closed)  
Case No.: 12-17838-FC-04 (closed)  
Case No.: 11-10881-FC-04 (closed)

**VERIFIED MOTION FOR DISQUALIFICATION OF JUDGE**

**COMES NOW**, Petitioner, MARIO JIMENEZ, and moves pursuant to rule 2.160 of the Florida Rules of Judicial Administration, and F.S. §38.10 to Recuse/Disqualify this Honorable Court from further involvement in this case, and in support thereof states as follows:

1. On July 20<sup>th</sup>, 2012 Emergency Order to suspend Petitioner's equal time-sharing was granted.
2. The order was obtained on allegations that Petitioner scared minor children when praying with them, and was later found to be unfounded by DCF psychological evaluation performed by Dr. Michael J. DiTomasso.
3. Dr. Michael J. DiTomasso's psychological evaluation was refused to be heard as evidence by Judge Pedro Echarte alleging that it had been performed before Judge Echarte had ordered it, causing all the havoc that later unfolded in this case.
4. The July 20<sup>th</sup>, 2012 Emergency Order and a number of subsequent orders were later obtained in clear violation of Petitioner's constitutionally protected and inalienable rights of religion and speech.
5. Father is a Christian man who volunteers his services for the protection of children, and families in well-known organizations such as Leaders of Peace, Communities in Actions, and

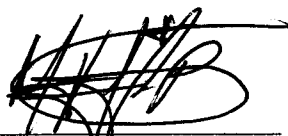
in various local churches, has volunteered his time and knowledge as President and Vice-president of various Homeowner Associations and other organizations in Miami, and is a loved and well-regarded physician in the community.

6. Despite not having any credible evidence that Petitioner poses any kind of psychological or physical danger to his children, the Judge currently presiding this case, Honorable Scott Bernstein, has refused to grant motions to correct these unconstitutional actions and allow Father unhindered access to his children as required by Florida law and the constitution.
7. Father recently found that Judge Bernstein's same-sex preferences, Exhibit A, put him at odds with Father's religious beliefs and practices, and may explain Judge's inability to see the importance of having a religious upbringing and of Father's religious practice of prayer with his children.
8. Father has recently sent letters to Honorable Bertila Soto, 11th Judicial Circuit Chief Judge, Exhibit B, and to Florida's Chief Justice, Jorge Labarga, Exhibit C, as to violations of public trust, neglect of duty, and ethics that Father believes have been committed by Judge Scott Bernstein, and two other judges involved in this case, and therefore fears that Judge Bernstein will retaliate against him, thus continuing to hurt the minor children in this case.
9. Pursuant to rule 2.160(d) (1), Father fears that he will not receive a fair trial or hearing because of specifically described prejudice or bias of the judge.

**WHEREFORE**, Petitioner respectfully requests this honorable Court to recuse itself from any further proceedings in this case, as set forth above in the Petitioner's Motion for Disqualification of Judge.

Respectfully submitted,

By: \_\_\_\_\_



Signature of Petitioner/Father  
Mario Jimenez, M.D.

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was emailed to the person(s) listed below on January 20th, 2014.

Ana C. Morales, Esq.,  
Attorney for Former Wife  
Reyes & Arango Moore, P.L.  
[amorales@reyesmiller.com](mailto:amorales@reyesmiller.com),  
[yreyes@reyesmiller.com](mailto:yreyes@reyesmiller.com),  
[efile@reyesmiller.com](mailto:efile@reyesmiller.com)  
[jsegebre@reyesmiller.com](mailto:jsegebre@reyesmiller.com)

Anastasia Garcia  
Guardian Ad Litem  
[agarcia821@aol.com](mailto:agarcia821@aol.com)

Certified copies of this motion and exhibits were also sent to Honorable Bertila Soto, 11th Judicial Circuit Chief Judge, and to Florida’s Chief Justice, Jorge Labarga, and to different media outlets.



\_\_\_\_\_  
Signature of Petitioner/Father, Mario Jimenez, M.D.  
*Pro Se* Petitioner  
12901 SW 66 Terrace Drive, Miami, FL 33183

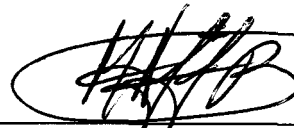
**VERIFICATION**

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

BEFORE ME personally appeared Mario Jimenez who, being by me first duly sworn and identified in accordance with Florida law, deposes and says:

1. I have read the allegations of fact contained in the foregoing VERIFIED MOTION FOR DISQUALIFICATION OF JUDGE, and each is true and correct.

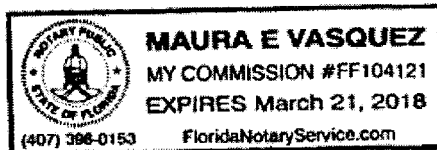
2. This affidavit is given under penalties of perjury.  
FURTHER THE AFFIANT SAYETH NAUGHT.



\_\_\_\_\_  
Mario Jimenez, M.D.

\_\_\_\_\_  
SWORN TO and subscribed before me this 13 day of January 2015.

\_\_\_\_\_  
Notary Public



# gsfla

STEVE ROTH AUS'



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### Judge David Young: Out for publicity



Judge David Young is about to debut on syndicated television. He's busy giving interviews like this one on AfterElton.com:

**AE: Did voters know you were gay when you ran for reelection?**

**DY:** Not an issue. As a matter of fact, when my partner Scott ran for election, he ran as an openly gay man, of course, and he was outed in the *Herald*. He was never

in the closet to begin with, but the *Herald* ran a story on his sexual orientation with me in the story about a week before qualifying.

Some homophobic bigot almost ran against him, but it didn't happen. But Scott's fundraising doubled overnight because people were so outraged that the *Herald* would even mention Scott's orientation. In Florida, you're not allowed to mention race, gender or sexual orientation in any judicial campaign ads. If you do that, you can get thrown off the bench. In that vein, Florida is very progressive.

Let's go back to July 1998 and reread my story about Judge David Young and his partner, Judge-to-Be Scott Bernstein:

#### **GAY JUDGES: JUDGE US NOT BY SEXUALITY BUT QUALIFICATIONS**

BY STEVE ROTH AUS, [srothaus@miamiherald.com](mailto:srothaus@miamiherald.com)

Fall elections are approaching and gay political activists in Miami-Dade and Broward counties are busy supporting (and raising money for) their favorite candidates.

Dade ActionPac already has endorsed two openly gay candidates for judicial seats in Miami-Dade County: County Judge Victoria Sigler, who is running for re-election and Scott Bernstein, a civil-trial lawyer who hopes to become a Circuit Court judge.

Sigler made history four years ago when she became the first openly gay or lesbian person elected a judge in Florida, according to Dade ActionPac.

"She is truly an outstanding role model and judge, "

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according to the PAC's endorsement. Sigler paved the way for other openly gay judges to serve in Florida: Mark King Leban became a Dade County judge in 1995; last year, Gov. Lawton Chiles appointed Robert Lee a Broward County judge.

"Scott Bernstein is trying to accomplish on the Circuit Court level what Victoria Sigler has on the County Court, " Dade ActionPac says, "to become the first openly gay or lesbian person to be elected a Circuit Court judge."

Bernstein, 38, says sexuality has nothing to do with being a good judge.

"I see it as a nonissue, " Bernstein says. "The community is mature enough to not think of that issue, but to think of the most qualified for the job . . . I don't go up to anybody and say, 'Vote for me because of this, that or the other thing.' I say, 'Vote for me because I'm qualified.' "

Still, if Bernstein is asked about being gay, he tells.

"Judges are not supposed to lie. No politician is supposed to lie, " he says. "I'm not sure that telling the truth -- how can that hurt? Isn't the lesson you learn from childhood that honesty is the best policy? There are people in this county who are not going to vote for me because I'm Jewish. There is nothing I can do about that. I'm not going to not say I'm Jewish.

"I'm not doing anything to prove a point. I'm not doing this to show people this can be done, " Bernstein says. "I have a genuine interest to improve the society in which we live."

Bernstein has spent nearly his entire life in South Florida. He graduated from Palmetto High in 1977, attended undergraduate school at Vanderbilt University in Nashville and law school at University of Florida.

About three years ago, Bernstein met Dade County Judge David Young at a law firm party and the two began to date. They have lived together for 2-1/2 years.

Young, 39, a former prosecutor and private criminal-trial lawyer, was elected to the bench in 1992. He now is a Dade Juvenile judge. Young says a person's sexuality "is irrelevant to being a judge.

"You want to be a role model, not just to a selected group. Judges should be role models for the entire community. Models for hard work and education.

"We have an obligation, all judges, to be involved in the community: Speaking before groups, especially in schools, is a wonderful way of getting the message across about right and wrong."

*Photo: Sony Pictures*

Posted by Steve Rothaus at 4:04 PM on September 7, 2007 in Arts, Bisexual, Current Affairs, Lesbian, LGBT, Media, Politics, Television, Transgender | Permalink

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Mario A. Jiménez Jerez, M.D., B.S.E.E.  
12901 SW 66 Terrace Drive  
Miami, FL 33183

December 22, 2014

Honorable Bertila Soto  
11th Judicial Circuit, Chief Judge  
Lawson E. Thomas Courthouse Center  
175 NW 1st Ave. Room Number CHC 3045  
Miami, FL 33128  
(305) 349-5720

Dear Honorable Bertila Soto,

As per Administrative Order No. AOSC14-66, I would like to request a detailed investigation as to abuses of power and violations of conduct displayed by three Judges involved in Case No.: 11-21207-FC-04, FAMILY DIVISION. I believe that their actions clearly amount to violations of public trust, neglect of duty, and ethics which, as recently stated in this unprecedented administrative order by Florida's chief justice, Jorge Labarga, shall carry consequences to those involved.

I am a born-again Christian man, who for the Glory of God in Christ Jesus, became an American Board of Family Medicine certified physician (from UM/JMH, with highest medical training score in the program, among top in the nation, named team player of the year by my 2013 class, highly praised by my peers and our community in general), an Electrical Engineer (from FIU, Cum Laude), an ex-Olympian, and a father of four, two of which came from my first marriage. If I had not lived it in my own flesh, I probably would have never believed what I am seeing unfolding in our Family Courts today. As my dealings with the three Judges I am reporting in this letter exemplify, some Judges routinely ignore the rule of law, the constitution, due process, and common sense, and selectively enforce the law for their own interest or that of their friends calling it "the best interest of the children." In my experience with a dysfunctional Family Court, I am appalled to find out that the moment one walks into it, one is immediately stripped away of our constitutional rights, such as our rights to freedom of religion, speech, self-incrimination, due process, jury trial, and equal protection. It is a place where parents have fewer rights than known criminals in other courts, for if a criminal cannot afford an attorney, one is assigned to them; a place where the law provides more rights to protect one's property or debts than to protect one's children. In all cases, parents are left at the whims of Judges who regularly have conflicts of interests, whose campaign funds or the certainty of not having someone run against them is owed to the same attorneys who come before them.

As taught to view medicine by Dr. Lynn Carmichael, one of my heroes and founder of Family Medicine, from an integrative medicine perspective, I believe that the problems in our Family Courts represent not only a judicial emergency, but a true health crisis. As my case also exemplifies, the negative effects of our currently dysfunctional Family Courts routinely lead children and adults to suffer not only from serious mental issues such as major depression, anxiety, post traumatic stress disorder, and many others, but in a large enough number of unfortunate cases, can also lead to suicides, homicides, and a number of other serious crimes, not to mention, the enormous economic cost that it brings to our societies from broken homes and lives.

To make a long story short, while attending medical school in Nicaragua, my ex-wife absconded for two years with my two kids (Mario was 7 y/o and Nicole was 4 y/o at that time), with the intervention of the American Embassy, the U.S.A. State Department, Miami-Dade police investigators, and even the FBI, I was able to recover them and restore shared custody of my kids by Judge Robert Scola. As ordered by Judge Scola, for about a year, my whole family and I worked very hard to reintegrate the children to our lives. I also immediately recruited the help of a licensed children's psychologist for intensive weekly therapies, and my children adapted well to their new environment. My Son, Mario, for instance, went from failing third grade and scoring in the lowest quartile in his FCAT to becoming an A/B student, scoring in the top quartile in the FCAT, and being given the honor of student of the month (one of the proudest moments of his and my life).

Then, on June 6, 2012, the Department of Children and Families (DCF) came to my house with another of at least five false DCF calls alleging that my whole family, my parents, my brother, my new wife and I were mistreating our children. That afternoon, I called my children and prayed with them a prayer I had taught them and had posted on my refrigerator, and which I even use to teach Sunday school children with, **The Spiritual Armor of God found in Ephesians 6**. To my surprise, my ex-wife that same night called and had the police show up around midnight alleging that I was scaring her and my children by telling them that an evil spirit would come and kill them, and that she was scare that I was the evil spirit that would come and kill them (**see denied Domestic Violence petition**).

The accusation was so outlandishly foolish and laughable, especially in light of my ex's history of prior false accusations, **appearing to the police with self-inflicted bruises but later being caught by a security camera actually assaulting me**, having absconded for 2 years with my children to another country, repeated DCF investigations found to be unfounded, and because **my own son had denied this accusation in a legally obtained phone recording**, that I thought that there was no way a Judge would even waste his/her time with it. Unfortunately, Judge Scola, who was familiar with the case, had been moved to a different position. And, sadly, I was completely wrong. I did not realize that I was dealing with a completely dysfunctional Family Court system and with some Judges that were in clear violations of public trust, ethics, and neglect of duty.

Soon after, with at least **5 different false accusations** with DCF, around the time the kids were to finish the school year, money-hungry ill-intentioned attorneys, **Yvette B. Reyes**, and **Ana C. Morales** (please click on their names to see my complaints and the answers from the Florida Bar), obtained illegal copies of a confidential Child Protection Team (CPT) report whose findings were later found to be completely inaccurate, and without properly notifying me to have the opportunity to have legal representation, filed a **purported emergency motion** to have my **time-sharing suspended**. (See also **Suggestions To Improve DCF**).

Despite the foolish religious accusation, that terrible day, July 20, 2012, the first Judge, Mindy Glazer, violated my due process rights by conducting an emergency telephone hearing without proper notice. The emergency hearing was based on the alleged DCF report, on the case that had not even been closed, so there was no any such report. In the unannounced telephone hearing, I had no legal representation as direct result of this Judge trampling on the rule of law and making a mockery of the legal process. Here is some more information about her terrible performance on the bench: (**www.robprobe.com**, **blogs.miaminewtimes.com**, **www.ccfj.net**).

Since that time, by order of a second Judge, Pedro Echarte, I only had very limited supervised visitations with my kids based solely on the allegation that somehow my praying with them would scare them. However, **after DCF had actually finished its investigation and I brought the final psychological evaluation that cleared me of any wrongdoing before Judge Echarte, he refused to admit it into evidence arguing that it was conducted by DCF one day prior to him giving the order to do so**. Bear in mind that DCF was actually procuring the funds for the psychological evaluation for over a month, and that I had no control of when DCF would conduct the evaluation. Judge Echarte then ordered me to undergo another evaluation, but this time with the psychologist my ex's attorneys had recommended, Vanessa Archer. He also ordered the assignment of a Guardian Ad Litem (GAL), Anastasia Garcia, whom my ex's attorneys had also recommended. Time went by, with the ultimate result that my son almost failed 4th grade, is also failing his new grade, and **four of his teachers were very concerned with his inappropriate behavior and very poor grades**.

To make matters worse, almost a year after our forced separation, I found out that my ex's attorneys and GAL were hiding the fact that **my son had been diagnosed with Major Depression, and PTSD** and was requiring SSRI medication for it. No traumatic event had happened prior to my children being alienated from me and my side of the family that July of 2012; I only had very limited supervised visitations at that time. As stated initially, before this separation, my son was an excellent student, scoring in the top quartile in the FCAT, and being given the honor of **student of the month**, but after these individuals collaborated to alienate them, my son developed these psychological conditions. In hopes of getting some justice, I sent a **complaint to the FLORIDA JUDICIAL QUALIFICATIONS COMMISSION (FJQC)** about Judge Echarte, but they **unbelievably found no fault with Judge Echarte's actions**.

To add insult to injury, I then came before a third Judge, Judge Scott Bernstein, who seemed to be inherently incapable to identify with the love of a father for his children or with the need for prayer and a religious upbringing, who claimed to stand against bigotry by running as the first openly gay Judge married to another man, but he became a religious bigot himself, who by not acting in the children's defense actually supported the opinion that somehow my religious beliefs should prevent me from freely seeing my children. After basically ignoring all the evidence presented (**Verified Petition for Dependency, RESPONSE TO MOTION FOR CIVIL CONTEMPT-ENFORCEMENT, Motion to vacate all orders, Memorandum in support of denial of mother's motion for contempt, Father's response to mother's motions for contempt**), Judge Bernstein nearly forced me into bankruptcy due to legal fees and costs, forcing me to pay for my ex's attorneys, and contrary to all common sense, demanded that I undergo a second evaluation with the same **psychologist I had reported to the Health Department, Mrs. Vanessa Archer**, instead of accepting an independent psychologist from DCF, as I had requested. This February 4<sup>th</sup> 2015, I have another hearing before Judge Bernstein, where the same attorneys he forced me to pay before, are seeking an additional \$30,000 dollars in attorneys' fees and costs. Also, recently, after I sent an e-mail to the GAL, Mrs. Garcia, requesting a status report for an upcoming emergency hearing, she filled a motion to compel payment from the father only, in a clearly discriminatory, biased, vindictive manner, and in clear violation of a previous order that required equal payments from both parents.

Mrs. Archer was the same "professional" who in my opinion was negligently responsible for the killing of Nubia Barahona an innocent child, not long before my case, and who, without any logical explanation still continues to serve as an expert witness in our Family Courts (**please see official DCF report, Twins File Lawsuit and willful neglect lawsuit filed against DCF on behalf of Nubia's adoptive siblings**). Similarly to the Barahona case, Mrs. Archer, instead of reporting to the Judge pertinent information, such as the fact that my **son had denied what I had been accused of**, went ahead and **requested to stop phone communication with my children because my son was contradicting what she had written** in her report. It therefore comes as no surprise that in her second evaluation, on October 2013, Mrs. Archer conveniently ignored the evidence presented, and recommended periodic re-evaluations with her (\$1,800 each) and to continue with supervised visitations, where I needed to pay a social worker to see my children. As a result of the incomprehensible actions of these three Judges and "professionals", I have not seen my children since October 26, 2013, and my son's behavior and mental state continue to deteriorate. For instance, not long ago, my son developed involuntary twitching of his neck and shoulder as a side effect of the medications he has been forced to take to deal with his pain.

After careful analysis of the "professionals" and attorneys involved, and the series of events that have transpired, I am strongly persuaded that we are possibly dealing with a very sophisticated form of organized crime. The definition of racketeering states that "the potential problem may be caused by the same party that offers to solve it, although that fact may be concealed, with the specific intent to engender continual patronage for this party." I would like to believe that these actions have been perpetuated without the explicit knowledge of the Judges involved, but this would have to be determined by your office, Florida's Chief Justice, and possibly a Senate Judiciary Committee hearing. In any case, I believe that the actions of these three Judges clearly amount to violations of public trust, neglect of duty, and ethics.

As a physician, obliged by the Hippocratic Oath, I cannot, in good conscience, allow the crimes against children and families I have been allowed to personally witness and experience, to go on without attempting to the best of my abilities to stop them. It is for this reason that I plea to your office to open an investigation of the three Judges involved, and to immediately order the removal of Mrs. Vanessa Archer, and Mrs. Anastasia Garcia from my case, as well as from serving as court assigned psychologist and GAL respectively until this investigation is finished. I believe that these individuals have not only acted in bad faith from day one, but have been in great part responsible for the psychological detriment of my children, especially my oldest son. At the same time, I would like to request the reassignment of this case to a religion-honoring judge since Judge Bernstein's anti-heterosexual bias, anti-religious views, and actions clearly put him at odds with my heterosexual practices, and religious beliefs, ultimately harming the minor children involved, as is clear by my son's deteriorating condition.

The dysfunction of our Family Courts is not only about blatant violations of public trust, neglect of duty, and ethics, but also about physical and psychological child abuse cases, such as Nubia's, that have continued and will continue, unless

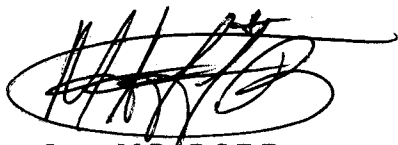


your office takes deliberate actions to prevent them (533 children dead as of this day in the last 6 years). I wish I could say that mine is an isolated case, but it is not. I personally know of some horrible cases, many much worse than mine, such as Steve Sumner's in Broward County, whose minor daughter has been actually placed in eminent danger because of the arbitrary decision of a Judge there. But the list goes on, and includes parents from all walks of life, ethnicities, and sexes, such as Janice, Patricia, Maria, Dilcy, Yarmila, Oscar, Jose, Rocky, David I, David S, Chris, Glen, Faruq, and on and on. A quick search in Facebook, for instance, will literal yield hundreds of groups and thousands upon thousands of victims talking about this topic, but not able to know where to turn for justice. As evidence will show, the dysfunction of our Family Courts is not only a local problem, but a state and a national one, costing innocent victims upwards of 50 billion dollars as a recent Divorce Corp documentary showed.

As attested by our forefathers, I believe that what we do in this life will echo forever in eternity. Because of their efforts and sacrifices, we have been greatly blessed, as it is still evident in this, the greatest nation on earth. But, as Benjamin Franklin reminds us “democracy must be learned by and defended in every generation.” “Freedom is never more than one generation away from extinction. We didn’t pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same.” –Ronald Reagan. We cannot remain silent witnesses to the abuses that we are currently seeing in our Family Court system. To remain silent would make us accomplices of their actions, and will inevitably lead to the destruction of families and more children being abused and/or killed.

I would like to thank you in advance for your positive response in protecting the residents of the 11th Judicial Circuit of Florida, and the children and families of our beautiful state. I praise God for the blessing of suffering for His name, and for giving me the opportunity to be a light in the darkness of this world. May the Grace of God in Christ Jesus be always with you and your family, and with this most glorious nation, the U.S.A., one nation under God, indivisible, with liberty and justice for all.

Regards,



Mario A. Jiménez Jerez, M.D., B.S.E.E.  
786-253-8158, [Marioaj01@yahoo.com](mailto:Marioaj01@yahoo.com).

Please visit [www.SayNoToPAS.com/chief-judge/](http://www.SayNoToPAS.com/chief-judge/) for all evidence referenced in this letter.

C.C.: Honorable Florida Chief Justice Jorge Labarga. Florida House of Representatives Judiciary Committee. Florida Senate Judiciary Committee. Florida Senators Anitere Flores, and Rene Garcia.

Mario A. Jiménez Jerez, M.D., B.S.E.E.  
12901 SW 66 Terrace Drive  
Miami, FL 33183

December 22, 2014

Florida Chief Justice Jorge Labarga  
Florida Supreme Court  
500 South Duval Street  
Tallahassee FL 32399-1925

Dear Honorable Jorge Labarga,

I would like to start by thanking you for all your efforts to help the people of our state, such as your recent efforts creating the Florida commission on access to civil justice, which aims at providing "systemic advances to ensure that access to justice in Florida is not limited to those who can afford it," and for your recent administrative Order No. AOSC14-66. I do not think that a Chief Justice with your heart for service and your compassion could have come at a more needed time for Floridians.

I am a born-again Christian man, who for the Glory of God in Christ Jesus, became an American Board of Family Medicine certified physician (from UM/JMH, with highest medical training score in the program, among top in the nation, named team player of the year by my 2013 class, highly praised by my peers and our community in general), an Electrical Engineer (from FIU, Cum Laude), an ex-Olympian, and a father of four, two of which came from my first marriage. While still finishing my medical residency in July of 2012, I came to experience one of the most horrific experiences of my life when I came before the Family Court system of the 11th Judicial circuit. If I had not lived it in my own flesh, I probably would have never believed what I am seeing unfolding in our Family Courts today. As my dealings with the three Judges I am reporting in this letter exemplify, some Judges routinely ignore the rule of law, the constitution, due process, and common sense, and selectively enforce the law for their own interest or that of their friends calling it "the best interest of the children." After my experience with a dysfunctional Family Court, I am appalled to find that the moment one walks into it, one is immediately stripped away of constitutional rights, such as our rights to freedom of religion, speech, self-incrimination, due process, jury trial, and equal protection. It is a place where parents have fewer rights than known criminals in other courts, for if a criminal cannot afford an attorney, one is assigned to them; a place where the law provides more rights to protect one's property or debts than to protect one's children. In all cases, parents are left at the whims of Judges who regularly have conflicts of interests, whose campaign funds or the certainty of not having someone run against them is owed to the same attorneys who come before them.

As taught to view medicine by Dr. Lynn Carmichael, one of my heroes and founder of Family Medicine, from an integrative medicine perspective, I believe that the problems in our Family Courts today represent not only a judicial emergency, but a true health crisis. As my case and many others exemplify, the negative effects of our currently dysfunctional Family Courts routinely lead children and adults to suffer not only from serious mental issues such as major depression, anxiety, post traumatic stress disorder, and many others, but in a large enough number of unfortunate cases, can also lead to suicides, homicides, and a number of other serious crimes, not to mention, the enormous economic cost that it brings to our societies from broken homes and lives. For instance, one of Americas most loved actors and comedians, Robin Williams, is perhaps one of its most recent well-known victims as a recent interview before his suicide clearly hinted to: [http://www.huffingtonpost.com/2013/09/13/robin-williams\\_n\\_3923027.html](http://www.huffingtonpost.com/2013/09/13/robin-williams_n_3923027.html).

As the letter I am attaching (that I recently sent to Honorable Bertila Soto) shows, the dysfunction of our Family Courts is not only about blatant violations of public trust, neglect of duty, and ethics, but also about physical and psychological child abuse, such as Nubia Barahona's, that have continued and will continue, unless your office takes deliberate actions to prevent them (533 children dead as of this day in the last 6 years). I wish I could say that mine is an isolated case, but it is not. I personally know of some horrible cases, many much worse than mine, such as Steve Sumner's in Broward County,

whose minor daughter has been actually placed in eminent danger because of the arbitrary decision of a Judge there. But the list goes on, and includes parents from all walks of life, ethnicities, and sexes, such as Janice, Patricia, Maria, Dilcy, Yarmila, Oscar, Jose, Rocky, David I, David S, Chris, Glen, Faruq, and on and on. A quick search in Facebook, for instance, will literal yield hundreds of groups and thousands upon thousands of victims talking about this topic, but not able to know where to turn for justice. As evidence will show, the dysfunction of our Family Courts is not only a local problem, but a state and a national one, costing innocent victims upwards of 50 billion dollars as a recent Divorce Corp documentary showed. I believe that evidence will show, more than ever before, we need a major reform to our Family Courts. The lives our children and the preservation of our society may very well depend on this. We cannot remain silent witnesses to the abuses that we are currently seeing in our Family Courts. To remain silent would make us accomplices to their actions, and will inevitably lead to the destruction of families and more children being abused and/or killed.

I would like to thank you in advance for your positive response in protecting the children and families of our beautiful state. I would like to offer my problem-solving skills, medical knowledge and experience with this topic to try to come with solutions. I have identified 5 specific areas that in my opinion need immediate attention to solve this problem, and which I am sharing with you in this letter. I praise God for the blessing of suffering for His name, and for giving me the opportunity to be a light in the darkness of this world. May the Grace of God in Christ Jesus be always with you and your family, and with this most glorious nation, the U.S.A., one nation under God, indivisible, with liberty and justice for all.

Regards,

A handwritten signature in black ink, appearing to read 'Mario A. Jiménez Jerez', with a horizontal line extending to the right.

Mario A. Jiménez Jerez, M.D., B.S.E.E.  
786-253-8158, [Marioajo1@yahoo.com](mailto:Marioajo1@yahoo.com).

Please visit <http://saynotopas.com/florida-chief-judge/> for all evidence referenced in this letter.

C.C.: Honorable Governor Rick Scott. Florida House of Representatives Judiciary Committee. Florida Senate Judiciary Committee. Florida Senators Anitere Flores, and Rene Garcia.

## Five Issues And Their Tentative Solutions

Based on my own personal experience with a dysfunctional Family Court system, I believe that the root of the problem is greed, so just pouring more money into the system, as some may recommend could actually make matters worse. I do not believe, for instance, that just pouring money into DCF is the solution to preventing more children's deaths while on the state of Florida's watch. The problem is that just pouring money into the system is like trying to pour water into a bucket with huge holes underneath. Before we put more water (money) into the leaking bucket, we need to identify from where the bucket is leaking, fix the leaks, and then pour water, if necessary. Otherwise, we will be just wasting valuable resources. Let's face it: we have a huge problem in our hands and the problem does not involve DCF alone. Here are some of the leaks I have identified, and suggestions on how to fix them:

1. **DCF investigators are overwhelmed** with the great number of false cases. Some unscrupulous people use DCF as a form of harassment tool. I know firsthand how easy it is for individuals to abuse the system and how these false accusations are costing DCF and Floridians millions of dollars of our tax money.

**Solution:** start cracking down on false DCF calls/accusations. These false accusations cause a huge burden on the system, and prevent DCF case workers from properly dedicating their time and efforts in true abuse cases.

2. **DCF workers are pressured from every side** to please a number of people who work with them (Family Court attorneys, judges, etc...). What DCF does or does not do creates business for these individuals, so DCF workers have to please them in order to keep their jobs.

**Solution:** Create an independent commission of citizens to help overlook DCF's work (no attorneys or any other "professionals" with possible conflicts of interest accepted). I am an American Board Certified Family Physician, active in my community, father of 4 minor children, Sunday school teacher who deals with children on a daily basis, and I would gladly volunteer to be part of this commission. I also know of many other law-abiding professionals who would love to serve as well.

3. I believe that **most DCF investigators/workers are good hearted individuals who truly want to help the children**, who do not want to see any more children die and who are frustrated with what is going; **however, they do not have a way to voice their concerns without running the risk of being targeted and losing their jobs.**

**Solution:** create an internal DCF whistle-blowing (improvement) hot line to allow DCF investigators/workers an anonymous way to point anomalies they may have encountered. These calls should be fully investigated and presented to the independent commission of citizens overlooking DCF's work.

4. **Some unscrupulous attorneys and "professional" are abusing the children's suffering to enrich themselves.** These individuals believe that it is not what you know or what the truth is, but who they know, and how they can twist the truth that determines the outcomes in Family Court cases. Their behavior reminds me of the cronyism and corruption experienced in many third world countries. They are making millions off of the suffering of children and their parents.

**Solution:** crack down on individuals who may be abusing the Family Court system. The DCF whistle-blowing hot line will help identify some of them.

5. **Lack of judicial accountability, and disregard of the rule of law in the Family Courts.** Some judges ignore the rule of law, the constitution, due process, and common sense, and selectively enforce the law for their own interest or that of their friends.

**Solution:Legislative measures to return the rule of law to Family Courts:**

**A) Judicial accountability:** whether someone is running against them or not, **Judges should appear for a confidence vote when their time for re-election comes up.** At this time, in many areas, close to 80% never even have to appear on the ballots because no other attorney challenges their position.

**B) If a judge decides to strip someone's right to one's children, require a speedy jury trial.**

**C) If a judge finds someone guilty of Domestic Abuse, require immediate transfer to Criminal Court with a speedy jury trial as well.** These last two measures are constitutional protections stripped away by the Family Courts.