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IRIS Y. MARTINEZ
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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, DOMESTIC RELATIONS DIVISION**

IN RE THE FORMER MARRIAGE OF:)
)
PETER MATT,)
)
 Petitioner,)
)
 and)
)
MEGAN MATT,)
 n/k/a MEGAN MASON,)
)
 Respondent.)

Case No. 2016 D 009534

MOTION TO TERMINATE THE GUARDIAN AD LITEM APPOINTMENT

Summary

I, Megan Matt (NKA Mason), Respondent, ask that Michael Bender's appointment as Guardian Ad Litem be immediately and fully terminated.

In support thereof, I state as follows:

1. On September 27, 2017, the parties were divorced and the Court entered an Allocation Judgment.
2. Two children were born of the marriage, namely A [REDACTED], born on 8/11/08 and currently age 13; and, T [REDACTED] born on 2/12/12 and currently age 9.
3. On June 6th, 2019 this Court ordered that Michael Bender be appointed as Guardian Ad Litem to the minor children.

4. (750 ILCS 5/506) (from Ch. 40, par. 506)

Sec. 506. Representation of child. reads:

a) Duties. **In any proceedings** involving the support, custody, visitation, allocation of parental responsibilities, education, parentage, property interest, or general welfare of a minor or dependent child, the court may, on its own motion or that of any party, appoint an attorney to serve in one of the following capacities to address the issues the court delineates:

(2) Guardian ad litem. **The guardian ad litem shall testify or submit a written report to the court regarding his or her recommendations in accordance with the best interest of the child.** The report shall be made

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available to all parties. The guardian ad litem may be called as a witness for purposes of cross-examination regarding the guardian ad litem's report or recommendations. **The guardian ad litem shall investigate the facts of the case and interview the child and the parties.**

a-5) Appointment considerations. In deciding whether to make an appointment of an attorney for the minor child, a guardian ad litem, or a child representative, **the court shall consider the nature and adequacy of the evidence to be presented by the parties and the availability of other methods of obtaining information, including social service organizations and evaluations by mental health professions, as well as resources for payment.**

In no event is this Section intended to or designed to abrogate the decision making power of the trier of fact. Any appointment made under this Section is not intended to nor should it serve to place any appointed individual in the role of a surrogate judge.

5. There was not a legal basis for this appointment because the parties had been divorced for two years and neither party had moved to modify the parenting plan or initiated any legal proceeding other than the appointment itself.
6. Although Mr. Matt had indicated, without proof, that there were "issues" between parties, it is not enough for one party to be aggrieved to justify the diminishment of parental authority or increased state intervention.
7. For example, one "issue" raised by Mr. Matt was my refusal to accompany him, a German citizen, to the German consulate and to obtain German passports for our children, who were born in the US and are American citizens.
8. US Federal law does not recognize dual citizenship and it is my understanding that a lower court cannot order a citizen to violate federal law.
9. The other "issues" raised by Mr. Matt could not be proven or did not rise to the level of seriousness to justify a motion for the modification of the parenting plan or other legal action (eg a proceeding).
10. It is impossible therefore that there could be a legal basis for the diminishment of parental rights by appointing a Guardian Ad Litem, which should be done only after the Court has an opportunity to "*consider the nature and adequacy of the evidence to be presented by the parties and the availability of other methods of obtaining information*".
11. It's utterly impossible that the Court considered the nature and adequacy of evidence to be presented by the parties before the appointment because there was no proceeding, no underlying question of fact, to which such an inquiry could be made. There was no

evidence or source of evidence to consider because there was no underlying proceeding.

12. I was a legally divorced woman and such action indicates that I, as a legally divorced woman, have less protection under the law than a married person as the only matter before this Court was my previously entered final divorce. This is to say there was no matter before the Court.
13. Mr. Bender was appointed against my strong objections.
14. Mr. Bender's appointment resulted in an unlawful diminishment of my parental rights and a financial burden for me and my children.
15. Since his appointment, Mr. Bender has wholly neglected to perform the most basic duties as a GAL.
16. First, (750 ILCS 5/506) requires that "The guardian ad litem shall investigate the facts of the case".
17. I previously filed a motion for Mr. Bender to be replaced January 12, 2021 after Mr. Bender had been appointed for two years as GAL and had not performed the most basic actions to investigate the children, including speaking to the children's teachers or any other school personnel, speaking to the children's doctors or speaking to our older son's long-term Applied Behavioral Analysis (ABA) Therapist. Prior to September, 2021, Mr. Bender had never spoken to any of the children's doctors.. (**Exhibit A** Motion to Dismiss Guardian Ad Litem; **Exhibit B** Jamine Text)
18. Mr. Bender has played no discernable role in the children's lives and T ██████ stated to a custody evaluator, Dr. Gerald Blechman, on Monday, July 26th that he did not know who Mr. Bender is and had not met him. In an email to my attorney at the time, ██████ the next morning, I wrote about T ██████ discussing with Dr. Blechman the ways his father exposes him to arguments and things that "are not for kids",
" [Dr. Blechman] then asked if T ██████ had told Mr. Bender, T ██████ didn't know who that is. Dr. Blechman said he's a lawyer and asked if T ██████ had ever talked to him. He said no." (**Exhibit C** Didn't know who that is email)
19. In fact, as I reminded T ██████ he did meet Mr. Bender one time in the summer of 2019 but he did not recall this encounter.
20. Mr. Bender's inaction may be due to neglect but I fear Mr. Bender's goal in avoiding contact with professionals in the children's lives is to hide Mr. Matt's misconduct and incompetence, which most professionals who have come to know Mr. Matt would attest to his overwhelming unfitness.

21. In fact Mr. Bender has sought to hide evidence of child abuse and endangerment in order to protect Mr. Matt's reputation before the Court.
22. On July 26, 2021 I took our younger son, T [REDACTED], then nine, to see the custody evaluator, Dr. Gerald Blechman at Dr. Blechman's request because T [REDACTED] had previously appeared dysregulated at a prior visit.
23. At this meeting T [REDACTED] repeatedly expressed an interest in harming himself. I reported this via email to my attorney at the time the next morning, writing:
- "So basically when I saw Blechman and the boys a couple weeks ago, T [REDACTED] kind of got worked up. Saying things like "I can't do anything". As Blechman said, he appears really dysregulated. Blechman said he's worried about T [REDACTED]'s state of mind and asked me to bring him back two more times.*
- I think, but don't know, that he wants me as opposed to Peter at the sessions to build rapport and help T [REDACTED] open up. Yesterday we went and he had me stay in the room the whole time. T [REDACTED] said a bit more, got quite emotional and even said he wants to kill himself. His main expressed issue to me is this Northwestern grammar class Peter is forcing on him, but he didn't bring it up to Blechman.*
- In the session T [REDACTED] kept saying he couldn't do anything, he thought that everyone was lying when we say he's doing well at school. Blechman specifically said, "I know for 100% fact that your mom is not saying that. Is someone else saying something that makes you think you're not good at anything?"*
- I was obviously a bit emotional hearing T [REDACTED] say that he wants to harm himself (I've never heard him say this) and asked Blechman if I should take T [REDACTED] to someone. He said for now just keep doing this, as in talking to T [REDACTED] about his feelings, sharing my experience getting him to express himself. I think this is another good sign. We talked about getting some books about feelings for kids. And I did order a deck of feelings conversation cards for us." (**Exhibit D Self Harm Email**)*
24. Upon reading this email, my attorney was concerned about T [REDACTED] thought Mr. Bender would care.
25. My attorney called Mr. Bender to report the incident.
26. The next day my attorney informed me that Mr. Bender had told her he'd spoken to Dr. Blechman and "it never happened", which is to say, Mr. Bender said that T [REDACTED] never raised the issue of self harm.
27. In response I wrote:

"I really can't emphasize enough how implausible it is to me that Blechman forgot that T████ said he wants to kill himself.

1. He said it multiple times, using the language, 'I want to kill myself', 'I want to be dead', 'Nobody wants me', 'Nobody would miss me'.

2. I said to T████, "You can't kill yourself." and looked to [Blechman] for help and Blechman said, 'What your mom means is that she would be really sad if something happened to you'.

3. At the end of the session, when T████ had stepped out, I approached Blechman and said, 'Do I need to do anything? Should I get him an appointment with his old therapist? I want to make sure I'm doing the right thing because he said he wants to hurt himself'.

I don't think either of us thought this was a credible threat to T████'s life, so the best scenario I can think of is that Blechman told Bender he didn't see an immediate risk to T████'s safety or a serious threat of suicide and Bender paraphrased it as T████ never said he wants to harm himself."(Exhibit E He said it multiple times)

28. On the afternoon of Tuesday, July 28th, I wrote to my attorney following an incident described below:

"I just want to note for my memory the below:

I was in the car around 5 today, driving T████ and A████ home from camp. T████ picked up a plastic wrapper in the backseat and covered his mouth. He said he was going to kill himself. A████ and I both told him not to do it.

I asked why he wanted to kill himself. He said he wasn't good at anything. I said I thought he was good at a lot of things, why does he think that. He said I'm not good at anything.

A████ yelled, is it because of Dad's lies. T████ didn't say anything. I said, what do you mean about Dad's lies. A████ said, dad's lies!

I asked T████ if he still wanted to go to the pool, where we were headed, he said I'm going to drown myself. I said I would be really sad if that happened. Because he goes to his dad's tomorrow, I asked him if he was sad about going to his dad's. He said he was and started to cry,

I asked T████ if he would like me to make it so he doesn't go back to his dad's. He said there's no way that would ever work. I told him that I actually could do

that if that's what he needs. He said wouldn't he get really mean to you? I said it was ok if his dad's mad at me, we just need to keep him safe.

He has been a bit emotional since returning home but is now ok." (Exhibit F Reports of Domestic Violence Email)

29. Because I considered this an escalation from just talking about self harm to a child's version of an attempt, the next morning I called T█████'s pediatrician, Dr. Patricia Brunner, and asked what I should do.

30. Dr. Brunner advised me to keep T█████ home from camp until he could be seen by her.

31. I kept T█████ at home until 1pm when he was picked up by his Mr. Matt per parenting plan.

32. The afternoon of Wednesday, July 29th, Mr. Matt took T█████ to Dr. Brunner's office around 5pm. I met them there.

33. With his father and myself in attendance Dr. Brunner questioned T█████. He stated that he was upset because he did not want to go to his father's house any more and he did not want to be forced to do an enrichment class at Northwestern. Following the visit she wrote:

"My assessment is that T█████ does not want to hurt himself, is not even really aware what that would mean. He is clearly voicing frustration at 2 situations in his life. He does not want to do the Northwestern class and does not want to go to his Dad's house. I do think he is safe." (Exhibit G My Chart Visit Summary)

34. That day Dr. Brunner called Mr. Bender's office but did not reach him.

35. Mr. Bender did not return her call.

36. On Saturday, August 7th, T█████ reported that Mr. Matt had physically abused him and his brother, which I reported to my attorney, writing the next morning:

"As we were eating dinner I asked Teddy how things were going with him and his dad. He said that he was worried about his dad being mad. I asked what being mad means, he said his dad would lock him up. I said, like a time out? He said yes. I said, What for? He said for Northwestern. He said I would have to stay up all night and not sleep if I didn't do it.

I asked how things were doing with his dad and A█████ (who had gone to the living room). I said A█████ had told me that his dad had kicked and hit him before, was that true. He said, yes. I asked when and he said ABA, back when it was zoom ABA. He

said, it was really bad back then. This was reported to me at the time by A [REDACTED] and I reported this to A [REDACTED]'s teacher and in my response to the PRTSC re ABA.

I asked if his dad had hit him (T [REDACTED]). He said yes. I said why? He said Northwestern. I said where? Where did he hit you on your body. He touched his cheek. I said he hit your face? He said yes.” (**Exhibit F** Reports of Domestic Violence Email)

37. On August 11th, T [REDACTED] had a virtual appointment with another pediatrician Dr. Shoshana Waskow. T [REDACTED] reported to Dr. Waskow that his father had backhanded him and had locked him in his room to force him to do worksheets.
38. Dr. Waskow noted this disclosure in a sealed document on August 11th, 2021.
39. Between August 11 and August 25, 2021, Dr. Brunner again made attempts to reach Mr. Bender in order to report the allegations of physical abuse.
40. Mr. Bender ignored or avoided Dr. Brunner’s calls.
41. On August 25, 2021 there was a status hearing in court.
42. At status Mr. Bender was “unaware” of any of the disclosures by T [REDACTED] to doctors and did not mention the topic of T [REDACTED]'s well being except to say that he had talked to Dr. Blechman.
43. Mr. Bender repeated the claim that T [REDACTED] was a little upset but had never expressed an interest in self harm, implying that I lied.
44. Mr. Bender said to the Court he would interview T [REDACTED]
45. In the five subsequent months he has not done so.
46. Dr. Blechman did not speak to T [REDACTED] again after reports of child abuse were made to T [REDACTED] doctors who eventually reported these facts to Mr. Bender via telephone in September, 2021.
47. Mr. Bender cannot act in the interest of the children while hiding child abuse and intentionally avoiding investigations into facts related to the children’s well being.
48. This was not the first time Mr. Bender had sought to hide domestic violence by Mr. Matt.
49. On April 9, 2021 filed in this Court a PRTSC in which I documented extensive harassment by Mr. Matt. (**Exhibit H** PRTSC RE Harassment)
50. The Court ordered Mr. Bender to investigate the facts of the harassment.

51. In May, 2021 I received a phone call from Dr. John Palen, a parenting coordinator selected by Mr. Bender.
52. During this call, Dr. Palen told me,
"I just spoke to Mr. Bender, who obviously knows you a lot better than me. And he wanted me to tell you the harassment never happened".
53. Illinois (720 ILCS 5/Art. 26.5 heading) ARTICLE 26.5. HARASSING AND OBSCENE COMMUNICATIONS (Source: P.A. 97-1108, eff. 1-1-13.) defines harassment as:
"Harass" or "harassing" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, that would cause a reasonable person emotional distress and does cause emotional distress to another."
54. It would be impossible for an honest, ethical third party to make this claim based on the preponderance of documentary evidence that Mr. Matt contacted me unnecessarily and caused distress. Mr. Matt very frequently harasses me by text, email and messages in Talking Parents.
55. Mr. Matt's harassment of me has also been observed and experienced by others, some of whom are experts in domestic violence.
56. On one occasion, well documented in the PRTSC RE Harassment Mr. Bender was ordered by Court to review (**Exhibit H** PRTSC RE Harassment), Mr. Matt threatened me and members of my church, Lake Street Church in Evanston, in order to force me to take T [REDACTED] to soccer on Sunday morning during my Court ordered parenting time. Mr. Matt made threatened an administrator on the phone and then made threats by email to me and to the head of youth services at the church, as detailed in Exhibit H.
57. If Dr. Palen was telling the truth, Mr. Bender inappropriately attempted to intimidate me into not advocating for my rights as a parent and litigant to be protected from harassment.
58. In addition to neglecting to investigate the facts related to domestic violence claims or to act in the best interest of the children, Mr. Bender is ethically unfit to serve as a Guardian ad litem as evidenced by:
 - a. Mr. Bender has made deceitful statements, specifically his statement to Dr. Palen that harassment did not happen when he knew it to be undeniably true as well as his statements to the Court that I had lied about T [REDACTED]'s suicidal ideation.
 - b. Mr. Bender has participated in ex parte communications he, as a former judge and licensed attorney in the state of Illinois, knows to be prohibited.
 - i. Specifically, on December 3, 2020, he was copied in an email thread between Dr. John Palen, parenting coordinator; Mr. Christopher

Wehrman, Opposing Counsel; and Ms. Kaye Mason, Judge Robert Johnson's clerk (**Exhibit I** I want to be Paid Email).

- ii. In this email Dr. Palen wrote, "I want to be paid. It is as simple as that". (**Exhibit I** I want to be Paid Email)
 - iii. According to (**725 ILCS 5/112A-17.5**) **Sec. 112A-17.5. Ex parte protective orders** this conversation was prohibited as it discussed significant information not related to routine scheduling and opposing counsel was not copied on all messages in the thread.
 - iv. In fact I was copied on one email in the thread, but according to a written statement by the sender Dr. John Palen, this was in error.
 - v. I believe from the wording it is clear that there were more emails in the thread and they ought to have been promptly shared with me.
- c. Mr. Bender is strongly associated with two individuals who have lied during court related discussions.
- i. Dr. John Palen is an associate of Mr. Bender and served at his recommendation. In the above mentioned email thread, Dr. Palen lied to me and said that the email conversation was about a case other than my own. Mr. Bender is therefore associated with a known liar as described in a previously filed **Petition for Substitution of Judge for Cause**.
 - ii. Mr. Bradley Trowbridge, formerly my attorney, is an associate of Mr. Bender who has told me he has cause to work with Mr. Bender often. Mr. Trowbridge lied to me many times between March 10 and July 13th, 2020. Specifically he hid a contempt allegation and multiple court appearances as described in a previously filed **Petition for Substitution of Judge for Cause** Mr. Bender's association with Mr. Trowbridge is further evidence of ethical unfitness.
- d. I believe Mr. Bender may also be motivated by vindictiveness and therefore unable to act objectively toward me, specifically because I filed an ethics complaint with the ARDC due to his failure to perform any duty related to my children's well being in the first year of his appointment. (**Exhibit J** I'm filing an Ethics complaint email).
- e. Mr. Bender, as described above, has hidden child abuse either through negligence or because of an intent to protect Mr. Matt's reputation before the Court which suggests Mr. Bender lacks the moral authority required for his role.

- f. Mr. Bender has also sought to hide other misconduct by Mr. Matt, specifically financial crimes as detailed in **Petition for Substitution of Judge for Cause**
 - i. As detailed in the Petition of Judge for Cause, Mr. Bender proffered to Mr. Wehrman, Mr. Matt's attorney, an agreement to block hearing on a motion for allocation of Mr. Bender's own fees and hearing on a motion to compel a subpoena related to those fees in exchange for Mr. Matt agreeing to a custody evaluation.
 - ii. Allocation of fees was ordered by the Court.
 - iii. Allocation of fees is not related to a custody evaluation.
 - iv. Mr. Bender ought not to have exerted influence on this matter.
 - v. The Motion for Allocation of Fees documents businesses and accounts controlled and owned by Mr. Matt in other countries but not disclosed to the Court or in tax filings, so it happens to provide evidence of tax evasion.
 - vi. Particular ethical scrutiny should be given to any action where the goal appears to be to hide financial misconduct or financial crimes.
59. Mr. Bender is a former judge and this Court has often had reason to remind me that he is owed a large amount of deference due to his role. By the same logic, he ought to be held to a higher standard than the average person and his behavior during Court business ought to be beyond reproach.
60. Simply participating in one instance of Ex Parte communication without immediately sharing the details with both parties ought to be reason enough to end his appointment.
61. Further, Mr. Bender's actions have not been in the interest of the minor children due to his failure to respect and support my mental health needs, specifically my therapist's recommendations for addressing problems with Mr. Matt due to my PTSD diagnosis.
62. From the beginning of his appointment, Mr. Bender has tried to pressure me into increased contact with Mr. Matt who often repeats the refrain that "Ms. Mason refuses mediation".
63. I have always maintained that I am not obligated to meet with or mediate issues with Mr. Matt unless some change is being proposed and some basic effort has been made to discuss the change.
64. Mr. Matt has on no occasion proposed a modification of the parenting plan or presented a factual claim of violations of the parenting plan by me.

65. Mr. Matt has never presented a proposal over which we could mediate.
66. I therefore regard Mr. Matt's insistence that I pay for mediation with him as burdensome and unnecessary, as is Mr. Matt's wish to have daily communication with me as his Mr. Matt's wish to have weekly therapy with me four years after our divorce.
67. Mr. Bender has claimed to the Court that parties "just need to talk" without providing a legal or factual basis for his personal belief.
68. One of my objections to unnecessary paid meetings (eg mediation or negotiations with a GAL in attendance) is that there is a financial burden without a benefit.
69. A good example is one of the other "Issues" Mr. Matt raised as a basis for his Motion for a GAL appointment which was "International Travel". In this case, Mr. Matt wanted to take the children to Germany for two weeks during the summer vacation.
70. Per parenting plan, Mr. Matt has one week of vacation with the children and he asked me if he could have another week to have a more meaningful trip.
71. I immediately agreed without qualification. Which is to say, I voluntarily surrendered some of my Court ordered parenting time to Mr. Matt without intervention or order.
72. I am a kind, reasonable person and I typically do accommodate reasonable requests, even when I am not required by law or Court order.
73. However, in this case, Mr. Matt was enraged that I insisted he bring the children back to the United States at least three days before the first day of school so they could overcome jet lag.
74. Mr. Matt was enraged that I had an opinion he didn't like and he might have to pay more for airline tickets.
75. Mr. Bender forced me to pay him to meet with Mr. Matt to discuss this "issue".
76. This only reinforced Mr. Matt's belief that the Court is hear to bully, abuse and force me into accommodating him, even when I am not required by law to do so and even when it is evident to any reasonable person that I have compromised enough and Mr. Matt ought simply to accept facts he does not like without harassing and abusing others.
77. What's more, contact with Mr. Matt is bad for me, and by extension bad for the children.
78. I have maintained that it is not true that further contact is needed and further indicated to Mr. Bender that I have been advised by therapists that it is not in the interest of my mental health to have unnecessary contact with Mr. Matt.

79. I have appealed to Mr. Bender and to Dr. Palen, then parenting coordinator, to have a conversation during which I could safely explain my mental health needs writing on April 22, 2021 (**Exhibit K** Mental Health History Email)

“As part of your investigation would you be willing to have a 30 minute call with me and Dr. Palen to discuss topics related to my own and Peter's mental health history? I would prefer to have an opportunity to speak candidly about my own background and needs without fear that it will be used against me so I ask for time separate from Peter who, of course, ought to be given the same opportunity. I will also make therapists I've worked with available to consult with John if it's appropriate or necessary, to the extent that they can/will given HIPAA guidelines.”

80. As I wrote to my then attorney on October 6, 2021, “Neither responded.” (**Exhibit K**)

81. Mr. Bender's utter failure to investigate the family's mental health dynamics and to learn about the mental needs of the mother of the children he serves makes him wholly unqualified to make recommendations for our family or express opinions about my mental fitness.

82. Mr. Bender's appointment has caused emotional and financial harm to me and my children.

83. The original appointment, not based on fact or associated with a legal proceeding, created an impossible dynamic for our family and ought not to have been made.

WHEREFORE, Respondent prays that the Court enters an order that:

- A. Mr. Bender be immediately terminated as Guardian Ad Litem in this case.
- B. The order appointing a Guardian Ad Litem be vacated.
- C. The Motion to Compel Swanson Martin Bell LLP to comply with the subpoena for financial records be granted.
- D. The Motion fo Allocation of Fees for GAL be given a hearing and prior ruling, without hearing, overturned.

Respectfully Submitted,

Megan (Matt) Mason
Pro Se Respondent

Exhibit A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, DOMESTIC RELATIONS DIVISION

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IN RE THE MARRIAGE OF:)
)
PETER MATT,)
)
) Petitioner,)
)
) and) No. 16 D 9534
)
MEGAN MATT n/k/a MASON,)
)
) Respondent.)

MOTION TO DISMISS GUARDIAN AD LITEM

MEGAN MATT n/k/a MASON, (“Megan”) appeals to this Court to remove the Guardian Ad Litem (GAL), Michael Bender, who is currently assigned to intervene in parenting matters related to the children of Petitioner Peter Matt and Respondent Megan Mason, Angus Matt (12) and Theodore Matt (8).

Background

1. The parties were divorced on September 27, 2017. Two children were born during the marriage, namely: A [REDACTED] (age 12) and T [REDACTED] (age 8).
2. Also on September 27, 2017, the Parties were divorced and the Court entered an Allocation Judgment, which incorporated the parties’ Parenting Plan.
3. The Parties’ older child, A [REDACTED], has severe developmental and behavioral disabilities including autism, motor impairment and cognitive delay. There has been, subsequent to entry into an Allocation Order “Parenting Plan” extensive conflict between parents on topics related to Angus’s healthcare.
4. On June 6, 2019, Michael Bender was assigned as a GAL to assist in decisions related to the minor children. The Order specifically states the issues: “Medication,

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Exhibit A

extracurricular activities, international travel, communication therapy and school selection”
(Exhibit A, “GAL Order”)

5. Michael Bender has now been assigned to the case for over a year and a half without modification as to his scope or role in this Matter since June, 2019.

6. On September 25, 2020 a Parenting Coordinator was assigned, Dr. John Palen. Specifically his role is described in the Order as:

“If an issue arises between the parties as to a parenting issue, both parents shall contact the Parenting Coordinator to schedule an appointment and shall copy the other party on the request for scheduling. Appointments shall also be scheduled when the Parenting Coordinator Requests. The Parenting Coordinator shall have the authority to make temporary recommendations, and said recommendations shall be followed by the parties.” (Exhibit B, “Parenting Coordinator Order”)

7. There is now no need for a GAL since a Parenting Coordinator has been assigned and, indeed, Mr. Bender defers all discussions and disputes to Dr. Palen. For this reason, Mr. Bender should be removed from this case.

8. Ms. Mason has asked Mr. Bender why he is still on the case, what he does and when, if ever, he will not be on the case. He indicated that he will stay on until the Judge orders him removed, but declined to further explain his role. Respondent also asked Petitioner and counsel to describe what reason, if any, they have for keeping Mr. Bender engaged. They did not reply (Exhibit C “Your Engagement”). It would be hard to justify Mr. Bender’s engagement if the key parties are unable to express the reason for it.

9. Respondent does not believe that there is a benefit to the involvement of a GAL for ongoing matters given there is a duly enacted Allocation Order Parenting Plan for the last four years and an assigned Parenting Coordinator. Should this Court find a GAL to be necessary, however, Mr. Bender is unable to fulfill this role due to his extraordinarily busy schedule. He is simply too busy to attend to the minor children’s needs as evidenced by:

Exhibit A

- a. It is Respondent's understanding that Mr. Bender has never spoken to any of A█'s healthcare providers or teachers. In particular, in an introductory conversation with Mr. Bender in July, 2019, Respondent asked Mr. Bender to please consult with A█'s healthcare team and provided him with their phone numbers (Exhibit E "Key Contacts Bender"). Specifically she gave him the name and phone number of the following
- i. Dr. Patricia Brunner has been A█'s pediatrician for six years. Mr. Bender has apparently never spoken to Dr. Brunner. Dr. Brunner told Respondent on a phone call on July 22, 2020 that Mr. Bender had never contacted her. Dr. Brunner indicated on this phone call that she keeps records on any such correspondence and thoroughly reviewed her notes to confirm that Mr. Bender had never contacted her at the time of this call .
 - ii. At the time of Mr. Bender's appointment, A█ had been receiving treatment for three years from Dr. Peter Smith, a faculty member of the University of Chicago and a board member of the American Pediatric Association. Dr. Smith is an expert in autism and other developmental disabilities and designed A█ treatment plan. Respondent believes that Mr. Bender never spoke to Dr. Smith.
 - iii. At the time of Mr. Bender's appointment, A█ had been receiving Applied Behavioral Analysis (ABA) therapy for over a year under the supervision of Jamine Detterming, a faculty member in Applied Behavioral Analysis at National Louis University. Mr. Bender never spoke

Exhibit A

to Ms. Detterming according to a text from Ms. Detterming. (Exhibit D
“Text July 21, 2020”)

10. It does not appear to Respondent that Mr. Bender has spoken to any of A [REDACTED] teachers or doctors. It would be impossible for Mr. Bender to make any meaningful assessments or recommendations related to A [REDACTED] healthcare without doing so.

The appointment of a GAL is a serious matter and causes significant expense. Respondent appreciates the intention to look out for the Minor Children’s best interest and respectfully thanks Mr. Bender for his service, but beseeches the Court to remove Mr. Bender from this case immediately and entirely.

Respectfully submitted by:



Megan Matt nka Mason, Respondent

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AT&T Mobility 1:29 PM 57%

Exhibit B

JD
Jamine >

< 21

teach tonight.

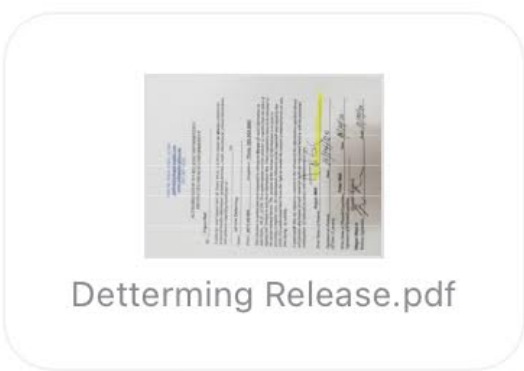
Jul 21, 2020, 1:15 PM

Hi Jamine, I hope you're well.
This is A [REDACTED]s mom, Megan.
Last summer I gave your
information to a court
appointed GAL, Michael
Bender. Did he ever reach out
to you?

Jul 21, 2020, 2:44 PM

Hi Megan! I don't believe he
did.

Oct 15, 2020, 12:44 PM



iMessage

Camera, App Store, Music, App Store, Apple Pay, Safari, Health

Blechman 2nd Visit 1:1 Teddy

Megan Mason <[REDACTED]>
[REDACTED]

Wed, Aug 4, 2021 at 3:27 PM

Forgot to mention, after speaking in detail about how his dad exposes him to fighting, Dr. Blechman asked if I do that (no/he answered no). He then asked if T [REDACTED] had told Mr.Bender, T [REDACTED] didn't know who that is. Dr. Blechman said he's a lawyer and asked if T [REDACTED] had ever talked to him. He said no.

I said actually T [REDACTED] did meet him with A [REDACTED] and me and reminded him when we went downtown to see him two years ago. Bender asked if he'd spoken to him in two years and I said no.

[Quoted text hidden]

^
^(sic Blechman)

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Blechman

Megan Mason [REDACTED]

Tue, Jul 27, 2021 at 7:07 AM

I wanted to update you on Blechman to make sure I'm not doing something that could damage my custody situation. I feel more comfortable with Blechman but I know this process can be dangerous for me so I want to be clear eyed.

So basically when I saw Blechman and the boys a couple weeks ago, T [REDACTED] kind of got worked up. Saying things like "I can't do anything". As Blechman said, he appears really disregulated. Blechman said he's worried about T [REDACTED]'s state of mind and asked me to bring him back two more times.

I think, but don't know, that he wants me as opposed to Peter at the sessions to build rapport and help T [REDACTED] open up. Yesterday we went and he had me stay in the room the whole time. T [REDACTED] said a bit more, got quite emotional and even said he wants to kill himself. His main expressed issue to me is this Northwestern grammar class Peter is forcing on him, but he didn't bring it up to Blechman.

In the session T [REDACTED] kept saying he couldn't do anything, he thought that everyone was lying when we say he's doing well at school. Blechman specifically said, "I know for 100% fact that your mom is not saying that. Is someone else saying something that makes you think you're not good at anything?".

I was obviously a bit emotional hearing T [REDACTED] say that he wants to harm himself (I've never heard him say this) and asked Blechman if I should take T [REDACTED] to someone. He said for now just keep doing this, as in talking to T [REDACTED] about his feelings, sharing my experience getting him to express himself. I think this is another good sign. We talked about getting some books about feelings for kids. And I did order a deck of feelings conversation cards for us.

I had told Blechman in my last one on one meeting that the boys have been not wanting to go to Peter's. I admitted this was new and, in the past, when asked, both boys would say they like to the current schedule.

Now T [REDACTED] says he hates going to his dad's. T [REDACTED] said to me "my dad doesn't understand the word no", forces him to do these classes (by the way the PC told Peter NOT to put T [REDACTED] in summer school). I said to Blechman I would be happy to have them more or even full time.

Please let me know if I should or can be doing anything to protect myself. I don't want to have this blow back on me. I've disclosed more than I would like to Blechman about my own history of trauma (which would be used against me as the crazy/damaged parent) but it's very hard to participate in these sessions with T [REDACTED] without opening up (which could also be used against me as the cold mother!).

Thanks,
Megan

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Blechman**Megan Mason** [REDACTED]

Wed, Jul 28, 2021 at 3:33 PM

I really can't emphasize enough how implausible it is to me that Blechman forgot that T [REDACTED] said he wants to kill himself.

1. He said it multiple times, using the language, "I want to kill myself", "I want to be dead", "Nobody wants me", "Nobody would miss me".
2. I said to T [REDACTED] "You can't kill yourself." and looked to him for help and Blechman said, "What your mom means is that she would be really sad if something happened to you".
3. At the end of the session, when T [REDACTED] had stepped out, I approached Blechman and said, "Do I need to do anything? Should I get him an appointment with his old therapist? I want to make sure I'm doing the right thing because he said he wants to hurt himself".

I don't think either of us thought this was a credible threat to T [REDACTED]'s life, so the best scenario I can think of is that Blechman told Bender he didn't see an immediate risk to T [REDACTED]'s safety or a serious threat of suicide and Bender paraphrased it as T [REDACTED] never said he wants to harm himself. But this is terrifying. Will let you know what happens with Brunner.

M
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Reports of domestic violence

Megan Mason [REDACTED]

Sun, Aug 8, 2021 at 11:27 PM

[REDACTED]

Tonight Te [REDACTED] made some statements to me regarding concerning behaviors on Peter's part. He also happens to be quite ill, and Peter had taken him to Dr. Brunner Sat am, tested (cleared) for strep and Covid. But his throat and cough are getting worse so we may see Dr. Brunner again soon.

As we were eating dinner I asked Te [REDACTED] how things were going with him and his dad. He said that he was worried about his dad being mad. I asked what being mad means, he said his dad would lock him up. I said, like a time out? He said yes. I said, What for? He said for Northwestern. He said I would have to stay up all night and not sleep if I didn't do it.

I asked how things were doing with his dad and A [REDACTED] (who had gone to the living room). I said A [REDACTED] had told me that his dad had kicked and hit him before, was that true. He said, yes. I asked when and he said ABA, back when it was zoom ABA. He said, it was really bad back then. This was reported to me at the time by A [REDACTED] and I reported this to A [REDACTED] teacher and in my response to the PRTSC re ABA.

I asked if his dad had hit him (Te [REDACTED]). He said yes. I said why? He said Northwestern. I said where? Where did he hit you on your body. He touched his cheek. I said he hit your face? He said yes.

A [REDACTED] has reported some physical aggression from Peter in the past but this is new for Te [REDACTED]

Megan

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PCP: Patricia Brunner, MD

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Exhibit G

Progress Notes

Patricia Brunner, MD at 07/28/21 1700

Here with Mom and Dad for evaluation of potential self harm.

T[REDACTED] was in the car with his Mom two days ago and said "I want to kill myself" and then proceeded to hold his breath for a very short time.

He is here to evaluate that statement and action

T[REDACTED] has never seen how long he can hold his breath and has never tried to hold his breath for long.

When I asked him how he would hurt himself he said "I would get shot, or drowned". I asked how he would do that - he said " a bad guy would do it to me".

T[REDACTED] has no access to guns and no unmonitored access to water.

On further questioning I asked T[REDACTED] if he meant something else when he said he wanted to kill himself. He said he does not want to go to the Northwestern class ("it's too hard".) And he does not want to go to his Dad's house.

I asked T[REDACTED] if he was going to hurt himself in any way and he said no

I then spoke with T[REDACTED] parents alone. My assessment is that T[REDACTED] does not want to hurt himself, is not even really aware what that would mean. He is clearly voicing frustration at 2 situations in his life. He does not want to do the Northwestern class and does not want to go to his Dad's house. I do think he is safe.

Allergies

Allergen

- Amoxicillin

Reactions

Hives

No current outpatient medications on file prior to visit.

No current facility-administered medications on file prior to visit.

PE: .NAD, no resp distress
Wt 66 lb (29.9 kg)

PE deferred d

A/P: assessment for safety - T[REDACTED]s safe. He does not want to go the the Northwestern class or his Dad's house.
Follow up if needed

Medical Decision Making

Problems Addressed: 1 undiagnosed new problem with uncertain prognosis (Moderate LOS 4)

Exhibit A

Amount and/or Complexity of Data Reviewed and Analyzed: Assessment requiring an independent historian

Risk of Complications and/or Morbidity or Mortality of Patient Management:
Plan for scheduled follow-up

Total Time Spent with Patient:
Established Patient: 20-29 minutes

Due to the declared public health emergency during the COVID-19 pandemic, additional supplies, materials, and preparation time have been required and provided by the physician or APN and/or clinical staff over and above those usually included in an office visit.

Patient Instructions

Patricia Brunner, MD at 07/29/21 1226

assessment for safety - Te [REDACTED] is safe. He does not want to go the the Northwestern class or his Dad's house.

Follow up if needed



IRMO Matt; 2016 D 9534; COURT ORDER

John Palen <jpalen@johnpalenphd.com> Sat, Dec 12, 2020 at 1:53 PM
To: "Kaye Mason (Chief Judge's Office)" <kaye.mason@cookcountyil.gov>, Megan Mason <[REDACTED]>
Christopher Wehrman <cwehrman@smbtrials.com>
Cc: Laura Fried <lfried@smbtrials.com>, Michael I Bender <mbender@caesarbenderlaw.com>

I want to be paid. It is as simple as that

JOHN M. PALEN, PH.D., LCSW

<http://www.johnpalenphd.com>

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- Psychotherapy with Older Children, Adolescents, Adults and Families
- Therapy with Children Resisting Contact with a Parent
- Co-Parenting Counseling
- Parenting Plan Consultation/Child Custody Evaluation
- Individual and Family Counseling with Members of the LGBTQ Community and their Families.
- Consultation with Men attempting to become better Partners, Husbands and Fathers

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Re: New Bill from Caesar & Bender, LLP

Megan Mason <[REDACTED]>
To: Brad Trowbridge <brad@bradtrowbridge.com>

Tue, Jul 21, 2020 at 3:20 PM

Michael Bender has never spoken to the boys' pediatrician of six years, who has ordered the boys removed from Peter's home; to his developmental pediatrician of five years; or to our long-term ABA supervisor.

He's met my children one time. He's billed me for over a year and is trying to force me into therapy with him that he's not authorized to administer.

I thought he was going to ask to be removed. I'm done trying to appease him. I'm filing an ethics complaint. I don't think he'll retaliate any worse than what he's doing now.

I know you don't/wouldn't recommend it. And I'll make sure he knows you didn't recommend it.
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Discussing of Sensitive Matters Related to Parental Mental Health

2 messages

Megan Mason <[REDACTED]> Thu, Apr 22, 2021 at 2:21 PM
To: John Palen <jpalen@johnpalenphd.com>, Michael I Bender <mbender@caesarbenderlaw.com>

Hi John and Michael,

As part of your investigation would you be willing to have a 30 minute call with me and Dr. Palen to discuss topics related to my own and Peter's mental health history? I would prefer to have an opportunity to speak candidly about my own background and needs without fear that it will be used against me so I ask for time separate from Peter who, of course, ought to be given the same opportunity. I will also make therapists I've worked with available to consult with John if it's appropriate or necessary, to the extent that they can/will given HIPAA guidelines.

I'm fine with you sharing this with Mr. Matt or his counsel. I did not omit them here because I wish to exclude them from the conversation, but rather I am trying to avoid discussing heated topics with Mr. Matt. I leave it to you to decide how/if you would like to convey what I have raised.

Kindly,
Megan Mason

Megan Mason <megan42@gmail.com>
[REDACTED]

FYI, neither responded
[Quoted text hidden]

FILED
12/3/2021 2:59 PM
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