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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

**RESPONDENT’S MOTION TO DISMISS MICHAEL BENDER’S MOTION FOR
SUBSTITUTION OF 604.10(b) EVALUATOR**

I, Megan Mason, defendant pro se, move that this court dismiss the motion by Mr. Michael Bender filed in this court on July 8, 2022 to appoint a 604.10(b) evaluator for the following reasons.

Mr. Michael Bender has no right to commence actions on behalf of A [REDACTED] and T [REDACTED] [REDACTED] under Illinois law:

1. Mr. Michael Bender submitted this motion in a role of permanent Guardian Ad Litem, having been appointed as a personal favor by his friend Robert Johnson, acting under color of Illinois law on June 6, 2019. In the capacity of Court Ordered Permanent GAL Mr. Bender has been given the authority to make all determinations of fact, justice, law and parentage in case 2016 D 9534 under the customs of the Domestic Relations Division of the Circuit Court of Cook County, under the leadership and executive authority of Presiding Judge Grace Dickler.
2. The position of permanent Guardian Ad Litem is a privilege granted under the patronage system of the Cook County Democratic party and through the executive policies and

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customs of Presiding Judge Grace Dickler, but it is not allowed or envisioned under Illinois law, which only authorizes individuals in the capacity of GAL temporarily, to draft a report during a legal proceeding.

3. There was no legal proceeding when Mr. Bender was given the role of permanent GAL, the parties having been divorced and having entered into a duly enacted parenting plan on September 25, 2017, with no pleadings before the court, and therefore there was no basis for Michael Bender's appointment under Illinois law.
4. Although GALs can draft motions in the course of legitimate court duties, Mr. Bender has at no time acted in a legitimate court capacity and therefore cannot make a motion on behalf of the children A [REDACTED] and T [REDACTED] under Illinois law.
5. Mr. Bender's motion ought to be dismissed because he has no standing to represent the minor children A [REDACTED] and T [REDACTED] or any other party before this court.

Mr. Bender's motion is substantially insufficient under the law.

6. Under 735 ILCS 5/2-615 a party in Illinois may move to have a pleading dismissed where that pleading is substantially insufficient under the law.
7. Under 750 ILCS 5/604.10:

(c) Evaluation by a party's retained professional. In a proceeding to allocate parental responsibilities or to relocate a child, upon notice and motion made by a parent or any party to the litigation within a reasonable time before trial, the court shall order an evaluation to assist the court in determining the child's best interests unless the court finds that an evaluation under this Section is untimely or not in the best interests of the child. The evaluation may be in place of or in addition to any advice given to the court by a professional under subsection (b). A motion for an evaluation under this subsection must, at a minimum, identify the proposed evaluator and the evaluator's specialty or discipline. An order for an evaluation under this subsection must set forth the evaluator's name, address, and telephone number and the time, place, conditions, and scope of the evaluation. No person shall be required to travel an unreasonable distance for the evaluation. The party requesting the evaluation shall pay the evaluator's fees and costs unless otherwise ordered by the court.

The evaluator's report must, at a minimum, set forth the following: (1) a description of the procedures employed during the evaluation; (2) a report of the data collected; (3) all test results; (4) any conclusions of the evaluator relating to the allocation of parental

responsibilities under Sections 602.5 and 602.7; (5) any recommendations of the evaluator concerning the allocation of parental responsibilities or the child's relocation; and (6) an explanation of any limitations in the evaluation or any reservations of the evaluator regarding the resulting recommendations.

8. Illinois law allows for a custody evaluator “in a proceeding to allocate parental responsibilities or to relocate a child”. There is no legitimate proceeding to allocate parental responsibilities and never has been subsequent to the entry of the parties’ Allocation of Parental Responsibilities and Parenting Plan in this court on September 25, 2017.
9. The court “shall order an evaluation to assist the court in determining the child's best interests unless the court finds that an evaluation under this Section is untimely”. Parties have been divorced for five years. The motion is untimely.
10. I have on many occasions sought to present more than three hundred pieces of documentary evidence to this court that demonstrate that Mr. Matt, petitioner in the original divorce case, is an unfit parent and is harming the children while they are in his care. Mr. Bender, as permanent GAL, has blocked all evidence from being heard by this court. There is therefore no legal proceeding initiated by myself, respondent, that would allow for a Custody Evaluator to be appointed.
11. Mr. Matt has filed documents which parties have called pleadings but has never presented a piece of evidence or fact in support of revoking my parenting rights. No legitimate, neutral judge would ever consider Mr. Matt’s pleadings as being legitimate under law because they do not contain facts and are unsupported by evidence. There is no legitimate proceeding by Mr. Matt to change the duly enacted parenting plan.
12. There are no proceedings so there should be not GAL or Custody Evaluator under Illinois law.
13. Illinois law requires that, “(b). ***A motion for an evaluation under this subsection must, at a minimum, identify the proposed evaluator and the evaluator's specialty or discipline. An order for an evaluation under this subsection must set forth the evaluator's name, address, and telephone number and the time, place, conditions, and scope of the evaluation.***”

- a. This motion names no evaluator, specialty or discipline.
- b. This motion has no scope.

The parties already paid for and completed a custody evaluation.

- 14. In the spring of 2021, Mr. Christopher Wehrman, attorney for Mr. Matt, previously sought to have Mr. Bender stop me from presenting evidence of Mr. Matt's federal financial crimes, domestic violence, deceitful character and unfit parenting before this court. Mr. Wehrman agreed with Mr. Bender that the best way to hide my truthful but damaging allegations would be to appoint a friend of Mr. Bender, Dr. Gerald Blechman, to conduct a custody evaluation guaranteed to benefit Mr. Matt.
- 15. I have been previously ordered to pay and meet with Dr. Blechman in the role of Court Ordered Custody Evaluator on many occasions. Although Mr. Bender originally told the court the evaluation would take a few months, Dr. Blechman spent well over a year ostensibly conducting an evaluation and there were no interviews or tests outstanding when he left this capacity.
- 16. In fact at no time was Dr. Blechman acting in a legitimate court appointed capacity and at all times sought to act in accordance with Mr. Bender's wish that Mr. Matt's unfitness be hidden from official court rulings.
 - a. Dr. Blechman hid multiple reports by my son T [REDACTED] that his father was emotionally and physically abusive to him and his brother, A [REDACTED]
 - b. Dr. Blechman hid at least three verbal statements by my son T [REDACTED] in his presence in which T [REDACTED] said he wished to kill himself because he doesn't want to go to his dad's house.
 - c. Dr. Blechman hid the fact that T [REDACTED] then nine, cried in his office because he doesn't want to go to Mr. Matt's house.
 - d. Dr. Blechman administered multiple psychological evaluations on Mr. Matt and myself and found 1. I scored within the ranges normal for a healthy parent, according to these tests and 2. Mr. Matt displayed levels of deceitfulness, narcissism and a limited capacity

for empathy that can impede his successful parenting abilities. Because the tests did not benefit Mr. Matt, Dr. Blechman hid them at the instruction of Mr. Bender.

- e. In July and August of 2021, also at the instruction of Mr. Bender, Dr. Blechman refused phone calls to and from the children's doctor, Patricia Brunner, and avoided any contact with the children for three months after they had reported physical abuse to Dr. Brunner so as to make sure the domestic violence reports could be hidden from court and that Mr. Matt could intimidate the children from making further statements.
- f. Dr. Blechman drafted a document referred to as a preliminary report in February, 2022. This document is illegitimate under Illinois law and it is impossible that a neutral judge in a legitimate Illinois court, acting under Illinois law would consider it as evidence.
 - i. The document is illegitimate not just because there are no "preliminary reports" under 750 ILCS 5/604.10 which explicitly requires that a custody evaluator's report be completed and tendered to parties 60 days before any hearing on parenting rights could commence. Dr. Blechman was authorized to submit a report under the strict guidelines of 750 ILCS 5/604.10, not to act as a corrupt penpal to the court.
 - ii. Apart from the very specific guidelines of the custody evaluation rules in Illinois, there is a clear principle in family law that children should not be removed without evidence or basis. One way to this end is to allow for testimony by third party experts. I have the right under Illinois law and basic principles of justice to present my own witnesses, my own custody evaluation, but the rules are based on there having been a legally allowable report, not a "preliminary report". I cannot present an alternate "preliminary report" because "preliminary report"s don't exist under Illinois law.
 - iii. This document is illegitimate because it consists almost entirely of Dr. Blechman's citation of an email from Mr. Matt, consisting entirely of hearsay by

Mr. Matt and Mr. Matt's opinions. It is hearsay about hearsay. No honest, reasonable judge would allow this evidence in a legitimate court of law.

- iv. This document is not allowable evidence because it specifically and overtly raises my political and religious beliefs as a basis to revoke my parenting rights. In the hearsay about the hearsay, Dr. Blechman indirectly refers to my public statements in which I have said that I believe that American institutions like courts are under attack and that I am called upon to stand up for Justice according to my faith. Dr. Blechman, quoting Mr. Matt, suggests my religious and political beliefs are symptoms of mental unfitness.
- v. This document is not legitimate evidence because it specifically quotes my federally protected whistleblower activity as federal witness against Bradley Trowbridge, Christopher Wehrman, Michael Bender, Kaye Mason and Robert Johnson, as a basis for revoking my parenting rights.

17. In the summer of 2022, Dr. Blechman consulted with a criminal attorney when he became aware that I had reported his criminal acts to hide child abuse and to tamper with evidence to federal authorities. Under the advice of his criminal attorney, Dr. Blechman withdrew from the case.

18. I paid Dr. Blechman \$2,000 at tremendous personal expense and effort.

19. Mr. Bender is clearly unfit to recommend custody evaluators given the tremendous harm Dr. Blechman's involvement has caused my children and myself, specifically his actions to sabotage any possible investigation into allegations of child abuse.

There are no resources to pay a custody evaluator.

20. I have filed Chapter 13 Bankruptcy and am not now authorized under federal law to engage in contracts or other plans to pay professionals while the Federal Bankruptcy Court seeks an orderly discharge of my debts.

21. Mr. Peter Matt has represented to this court that he is destitute; though I deny this fact. I acknowledge that Mr. Matt has limited funds in the United States to pay for a custody evaluator, having absconded with all family wealth and hidden his assets in accounts in Europe undisclosed to the IRS for well over a decade. In other words, I am poor and Mr. Matt has a hard time laundering money to pay bills.

Wherefore, I pray that this court

- A. Dismiss this pleading and action entirely.
- B. Order Dr. Blechman to tender all files, emails, test results and other documents related to work performed under the guise of a custody evaluation in case 2016 D 9534.
- C. Order Dr. Blechman to return to me any funds paid in the belief that Dr. Blechman was performing a custody evaluation.
- D. Order Michael Bender, Kaye Mason, Steven Klein and Christopher Wehrman to withdraw from this case effective immediately due to their conflict of interest.
- E. That Judge Robert Johnson recuse himself from this case and transfer this case out of Cook County due to his conflict of interest for both Judge Johnson and Judge Dickler.
- F. Any relief that this court deems fit.

Respectfully Submitted by,



Megan Mason
Respondent Pro Se