

**Last Year
Karyn
&
Milijana Vlastelica**

**Appeared Here
Providing testimony on
HB2833- HA 1**

**Re: family courts' charges
for child representation**

**We also testified that
this apparent “cottage
Industry” is a wide-spread
policy and practice in Chicago
and
its Wide Metropolitan Area
Including all Surrounding
Counties &**

**that it Resembles the
“Cottage Industry”
that the
Family Law Study Committee
described
in 2010
in their POD 1 Report**

**Milijana testified that she
& her ex-husband Lost in
Excess of
\$500,000
because of the Actions of
Court-Appointed Child Rep
in her Case with
NO Child Abuse**

Karyn Testified that:

**She had Two Child
Representatives**

**Who Billed about
\$ 55,000**

**She Lost a Nearly Paid
off Three Flat Building**

**She has had to
Live in a Trailer with
her Children
for Several Years &**

**Her judge actually Court-
Ordered that her
Children's College Funds
be given to the Child Rep
to Pay his Fees**

**Neither Karyn or Milijana
currently has a
Child Rep or GAL &
We have a Moral Obligation
to Bring
THIS SORRY SITUATION
to the Attention of the
Legislature**

Last year the ISBA
Opposed Bill as
“Unconstitutional”

This year we eliminated and
deleted all of those allegedly
unconstitutional
recommendations.

**This year we have with us
Moms & Dads who are STILL
Trapped within the Vicious
Cycle of Never-Ending Family
Court EXPLOITATION OF THEIR
FAMILY RESOURCES, under
the guise of Protecting
Children with Child Rep & GAL**

**Taking the Last Penny from
the Children's College Fund,
and giving it to an
Outrageously Expensive
Court-Appointed Attorney
**IS NOT SERVING THE
CHILD'S BEST INTERESTS****

We also have identified a couple of attorneys who can attest to our testimony and who would commit to representing the minor children for \$150 per hour, as they find this fee to be very reasonable. This amount, full-time, will generate an income of \$300,000 per year.

The first witness is
Claudia Shabo whose
Current Child
Representative Fees
Exceed \$100,000

But First
Pause for a
Moment
& Ask Yourself

**Was THIS
THE
INTENT OF THE
LEGISLATURE WHEN
THE CHILD REP
STATUTE WAS
ENACTED?**

**How many of you Truly
Believe that the Minor
Child has Received a
benefit worth \$100,000
because he had an
Attorney in Divorce Court?**

**How many of you Truly
Believe that this \$100,000
of Attorney's Fees going to
Private Attorneys is the
Same as Child Support
which provides for Child's
Food, Clothing and
Education?**

Please Support

HB 5544

**Miriam / Claudia
Shabo's Story
Of
Financial Exploitation**

To date the **Total**
Court-Ordered Child Rep
Fees in this case,
WHERE THERE IS
NO CHILD ABUSE OF
ANY KIND,
amounts to **\$101,080**

See the Handout –
pages of Child Rep
Ralla Klepak's
Invoice

1st Child rep Fees:

01-04-04 \$ 1,500 (retainer)

10-20-05 \$ 11,520 (invoice)

2nd Child Rep Fees:

04-21-11 \$ 87,468 (invoice)

Current \$ 592

Total \$101,080

**Subsequently the Court
Appointed a new Child Rep –
Ralla Klepak whose invoice you
have in the handout
She billed at what maybe
viewed as a “Discounted” Cook
County rate at:**

**What Maybe Viewed as Cook
County Discounted Rate for Court-
Appointed Child Rep
Charged By Klepak**

\$300 / hr for office work,

\$350 / hr for court

appearance,

**\$200-\$250 / hr for substitute
attorney**

**Even if viewed as
discounted the new
Child Rep, Klepak,
has thus far billed
about \$ 88,000**

Remember to date the
**Total Court-Ordered
Child Rep Fees** in this case,
**WHERE THERE IS
NO CHILD ABUSE OF
ANY KIND,**
amounts to **> \$101,000**

**Claudia lives in
Constant Fear that
she will be Jailed for
her Inability to Pay
these Outrageous
and Exorbitant Child
Rep Fees.**

Claudia's Fears are Justified because in the Past the Court has Issued Jail Commitment Orders for Failure to Pay Fees, in Order to Force Claudia, her Parents, or her Attorneys to Pay the Fees.

**All Issues Relating to
the Minor Child were
Resolved on 11-13- 2007,
yet the Court has Refused
to Dismiss the Child Rep,
Klepak, from the Case**

**The Child Rep Billed the Parties
\$ 23,000 since
11-13-2007 for Services
Unrelated to the Children as
ALL Issues for the Children
have been Resolved
since 11-13-2007**

Klepak Billed the
parents \$6,287
**Just for Reviewing,
Filing, and
Presenting her Bill.**

**Klepak filed numerous
pleadings to force an
appointment of Dr Leslie
Star for an updated
evaluation of the children**

**Charging \$10,875
for this “Service”**

**Dr. Star Charged \$ 10,500 for
this Updated Evaluation -
while an Updated Evaluation
by Dr. Amabile - The Original
Evaluator would have cost
approximately \$1,000**

**Note that Star did not
Testify at Trial**

**This Enormous
Unnecessary Expense in
Excess of \$21,375 Served
only the Best Interests of
Klepak and Star – Certainly
NOT the BEST INTEREST
of the Child**

**This Reveals how
Klepak Advocates for
the **Best Interest of
Evaluators** and NOT
the **BEST INTEREST**
of the Children**

Klepak in Addition Billed the Parties \$5,139 for Unspecified Appellate Fees and Court Costs, Even though She did NOT Participate in ANY Appeal on Behalf of or For the Benefit Of the Minor Child

Klepak sends her Substitute Attorney, Shimberg – NOT on the Qualified Child Rep Approved List – to Appear & Bill in her Stead, Even Without Any Necessity. His Fees Amounted to \$11,820 – with NO Apparent Benefit to the Minor Child.

**Child Rep Klepak took
her 3-month vacation
at her Florida Home
during this time**

**Child Representation is
Apparently a Lucrative
Career for Ralla Klepak &
even perhaps an
Annuity Account for her and
other Child Reps whose
Greed speaks for itself**

**IF THIS WAS NOT A
COTTAGE INDUSTRY
THERE NEVER WOULD HAVE
BEEN INVOICES
FOR OUTRAGEOUS
> \$ 100,000 FOR
COURT-ORDERED
UNNECESSARY CHILD REP
“SERVICES”**

The Child Rep made a Statement in Court that if the Daughter, Claudia, doesn't have the Money to Pay, let the grandmother pay the bill and they threatened to take Claudia to jail that morning, had she not paid some \$2,400, which the grandmother, Miriam, paid to keep Claudia out of jail.

**The reason the
“CHILD REP COTTAGE
INDUSTRY” billed so excessively
is because they presumed the
grandparents had money,
Claudia has none, and they
were determined to extort this
money from the grandparents.**

Please Support

HB 5544

You will hear testimony Now
that Confirms that these
Moms & Dad's have
Reason to Fear Retaliation
for their Support of this Bill
or their Objection to
Excessive Fees

**Many of them were
actually Afraid to
Come here to Testify
because they
FEAR Retaliation
and others couldn't leave
their job to appear.**

**The Statements of
ISBA Rep & Child Rep Birnbaum
at a meeting in Rep Cross' Office
in March 2011**

to Milijana Vlastelica, David
Bambic, Karyn Mehringer, Claudia
Shabo & Miriam Shabo

Would Scare Anyone

**Their Words make it
CLEAR that they USE
Financial Retaliation &
Manipulation of the Court to
Deny a Parent
Custody of their Children
& Financially Destroy
the Family**

ISBA / CHILD REP –

**This is WHY We Make
Sure YOU File a 13.3
Financial Disclosure
Statement**

DAVID BAMBIC –

**The Child Rep is Using the
Children's College
Education Fund to Pay
Fees!**

ISBA / CHILD REP –

**College Education is
NOT Mandatory**

MIRIAM SHABO –

**But your Fees Are?
[mandatory]**

ISBA / CHILD REP -

**I don't chase people
who can't pay - I
just make up for
the difference in
another case**

ISBA / CHILD REP –

**You Know this is
Capitalism – You are
Allowed to Make
Whatever you
WANT!**

**David Bambic's
Story
Of Retaliation
for Advocating
for this Bill**

On April 29, 2011, Child Rep David Wessel, out in the Hallway before Entering the Courtroom Promised that they would Retaliate Against Bambic for Lobbying for Fixed and Limited Fees for Court-Appointed Attorneys in Family Court

**ISBA Rep, Jacqueline
Birnbaum, said Hello and
that they
Decided to make David the
Example for Lobbying to
“Change THEIR Money”,
so No One will Oppose them
in the Future**

**The Retaliation has Turned Out to be
VERY REAL as Child Rep Wessel has
Manipulated the Court, so that David
has been Denied Due Process, a Voice,
in Custody Decisions, has been
Subjected to Relentless Defamation of
his Character without Opportunity to
Refute the Hearsay Presented to the
Court, and has been
Impoverished in the Process**

Child Rep David Wessel has REFUSED to Deliver to the Parents a Statutorily Required Pre-Trial Memorandum (Discovery) detailing the “Evidence Based Facts”, obtained by “Investigation of the Case” that He would Present to the Court to Justify the Court’s Custody Decision

**HOW DO YOU
DEFEND WITHOUT
KNOWING
THE ALLEGATIONS
AGAINST YOU?**

**The Trial Judge Haracz
REFUSED to Compel,
upon David's Motion,
the Child Rep to Produce
the Statutorily Required
Pre-Trial Memorandum
(750 ILCS 5/506)**

**The Hearing Transcripts
Confirm that Judge Haracz has
Relentlessly Denied David even
Basic Due Process Rights,
telling him to “SHUT UP” and
that he “HAS NO RIGHTS”
even though he was
Defending Himself**

**Judge Haracz has even
Barred David from Filing any
Post-Trial Motions without Leave
of Court & he has
Denied Leave of Court even to
File request for Decrease in Child
Support after David was Injured
at Work and
his Income Dropped to \$ 0**

**David therefore, Lost Custody of Two
Minor Children, had his Parental
Interactions *de facto* Terminated
Based on False Statements –
HEARSAY upon HEARSAY – & this
Hearsay was Investigated by DCFS &
Determined to be UNFOUNDED – yet
the Trial Judge used it to *De Facto*
Terminate David's Parental Rights**

The Court had Appointed
Wessel and

**David had a RIGHT to EXPECT
the CHILD REP SERVICES
SPECIFIED BY STATUTE –**

**“Investigate The Facts Of
The Case, and
Encourage Settlement”**

**HEARSAY UPON HEARSAY
AND LIES** PRESENTED TO THE COURT
With Almost **NO** Investigation
**THAT A STATE INVESTIGATIVE
AGENCY HAS DETERMINED
TO BE UNFOUNDED –
DO NOT QUALIFY AS
LEGITIMATE SERVICES**

THE ILLINOIS APPELLATE COURT
HAS AFFIRMED THE DECISION
**BASED SOLELY ON A
TECHNICALITY**
WITHOUT REGARD TO THE BEST
INTEREST OF THE CHILDREN

**DAVID IS APPEALING TO
THE ILLINOIS
SUPREME COURT AND
PLANS TO FILE ACTION
IN THE FEDERAL COURT**

**There are Federal & State
Laws Against Retaliation
Against a Witness –
These are Felony Crimes
– These Acts also
Harm Children**

Wessel's Modus Operandi is to
Ignore the Statute, which
Requires Detailed Invoices every
90 days, and surprise the
parties with only a Timeline a
year later &
Families Homes are Ordered
Sold to Pay the Child Rep Fees

**We have Documentation
that Numerous Parents
have Lost their Homes to
Pay Outrageous Fees
often Amounting to
1- 2 Times the Average
American's Yearly Income**

**The Judges Ignore the
Statutes and
Award Fees without
90 day Invoices –
without reviewing
if Fee was
Reasonable & Necessary**

**Judges Order Court-Appointed
Child Reps & GALS Awarded
Exorbitant Fees for Work
Specified by 750 ILCS 5/506 that
Often IS NOT DONE, which
Harms Children by Squandering
their College Funds & Causing
Difficulties in Families Affording
Basic Housing, Clothing & Food**

**IN BUSINESS IF A CONTRACTOR
PROVIDES ONLY A LUMP SUM
BILL YEARS LATER
& EXPECTS TO BE PAID EVEN IF
THEY DIDN'T DO THE WORK –
THIS WOULD BE CRIMINALLY
PROSECUTED AS FRAUD**

NO COURT

**WOULD HAVE
ORDERED THE
CONTRACTOR TO
BE PAID**

**A CLEAR Law Fixing the Fees at a
REASONABLE Level Such as
\$150 per hr, would Help
Reduce the Incentive to Exploit
Families in Divorce & would
Encourage ONLY the use of
Attorneys Truly Interested in the
BEST INTEREST OF THE CHILD**

Please Support

HB 5544

Further Facts in Support of HB 5544

Nowhere in the
Country Does a
Court Appoint an
Attorney who
**Sets his OWN
Fees**

**In Non-Death Penalty Cases,
Illinois Attorney Fees are
based on 725 ILCS 5/113-3, at
\$40/hour for Court Time and
\$30/hour for
Non-Court Time**

In Minnesota GALs are
billing approximately
\$ 40 per hr

Court-Appointed
**Illinois Capital Defense
Attorneys**

Received **\$ 125 hr**
(adjusted for COLA)

725 ILCS 124-10

**ARE 506 COURT-APPOINTED
ATTORNEYS FOR CHILDREN IN
DIVORCE WORTH MORE?**

Even Senior Court-Appointed
Defense Attorneys on Salary
– Earn the Equivalent of
\$25-\$40 per hr

& they are Dealing with Loss
of Freedom – Jail Time

Proposed Fee Cap of
**\$150/hour is More than
Equitable**, and is Similar
to what the Court-Appointed
Attorneys were Making in
Death-Penalty Cases

**Contrast this
situation with
charges for:
Court-Appointed
Child Reps & GALs
in Illinois**

Court-Appointed Child Reps & GALS in IL

**Are Billing at Rates
Routinely Between**

\$300 to \$1200

per hr

(bundled bills for Asst.
Attorneys and “Costs”)

Why should you
vote “yes” on HB
5544?

**Because presently the
Fees Court-Appointed
Attorneys Charge in Divorce
Cases are **Abusive, Excessive, &
NOT in the
Best Interest of the Children
they Represent
As I'll explain more below****

**750 ILCS 5/506 Statute
states that
Judges
Can Award Fees for
**REASONABLE &
NECESSARY SERVICES****

The Question is:

What is

Reasonable &

Necessary?

Full-Time Work at
\$125 per hr (Cap. Defense Attys)
= **\$323,481** per yr

Vs.

Full-time Work at
\$400 per hr
= **\$800,000** per yr

**Is it reasonable to pay
someone \$400 per hour,
Just because they attended
a 10-hr Course on
Child Representation?**

**Is it Reasonable for
Child Reps & GALs
to make
3 times as much per hr
as did
court-appointed
Defense Attorneys in
Capital Cases?**

**Is it reasonable for Child
Reps to make
10 times as much
as newly hired Assistant
Attorney Generals?**

**Does the Fee you
Pay a Court-Appointed
Attorney**

**Determine the
Quality of Their
Representation?**

**Should a
Court-Appointed Child
Rep or GAL make**

2 ½ times

More than a Judge?

**Should Child Reps who have no
marketing costs & who have
absolute judicial immunity
from legal malpractice suit
be able to become
Millionaires
off of a Captive Market?**

**No trial court should be in a
position to devise and
promote an
Extremely Lucrative Business
for private attorneys
without any recourse
available to the parties.**

**THIS CANNOT
POSSIBLY HAVE BEEN
THE
INTENT OF THE
LEGISLATURE WHEN
THE CHILD REP
STATUTE WAS
ENACTED**