Answers to Legal Questions

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Sat, Jun 16 2012 2:44 AM Sue NJ Child Support Agency? Assistance Please Reply Consumer

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16 2012

Posts 9

I would like to know if it is possible to sue the NJ Child Support Agency for violations of my constitutional rights? I have a non disabled / daughter who is 20 yrs old and is not a student and the court will not emancipate. My daughter has been alienated from me by her mother. In my opinion; The NJ Family Courts cater to these types of mothers. Unlike other states; NJ does not have any defined law on emancipation. However, the legal age of an adult in NJ is 18. NJ Emancipation and the age of a legal adult in NJ are contradictory. Joined on Sat, Jun

In my opinion; any state that forces a citizen to work for another able and employable adult citizen is placing that citizen into a type of servitude / slavery. (18 U.S.C. Sections 1581 and 1589 prohibit involuntary servitude by taking someone under government threat and making them work for someone else to pay off a debt). The NJ child support system is also very bias towards Fathers / Non-Custodial Parents as well. The NJ Family Court System also does not abide by due process as well. In any type of NJ.

NJ Parents of intact households are not threatened or forced to provide support for an able adult, Non-Custodial Parent are. In my opinion that is discriminatory towards Non-Custodial Parents. has to prove his own innocents. It's not as it is suppose to be constitutionally (Innocent Until Proven Guilty) with the NJ. Family Court. I have also learned the following:

Child Support issue, especially with emancipation. A Non - Custodial Parent (The Defendant) Judges can also be sued because they are violating constitutional rights by trying to cover-up the

rights violations in what can only be termed a racketeering extortion matter. Judges have a financial interest in awarding as much support as possible, enforcing as much as possible and collecting as much as possible. These numbers are submitted by the state to the Federal government at the end of each fiscal year for what is known as Federal Child Support Reimbursement Incentive Funding to the

States, under Title 42 Section 658(a). The Feds give the state hundreds of millions of dollars

each for total child support awards and enforcement (which just happens to increase each year) with no strings attached. The states put this money immediately into their General Treasuries to "balance" the budget. It doesn't really go towards child support. It goes to paying the salaries and pensions of judges and state employees (e.g., child support officials, etc.). So the more support judges order (and it now includes alimony, which artificially inflates the numbers) the more that goes into their pensions, salaries, bonuses, stipends, bounties, etc. The US Supreme Court held in Tumey v. Ohio, Ward v. Monroeville, Gibson v. Berryhill, et al. that this is an unconstitutional conflict-of-interest when judges have a financial interest in the outcome of cases they sit on. The Supreme Court held that judges must recue themselves from

such cases or their orders are null & void. Yet, NJ. Family Court judges continue to thumb their noses at the US Supreme Court mandates. This is not only contempt of the Supreme Court, but felony official misconduct by judges, who are public officials that swore an oath to uphold, support and defend the U.S. Constitution and

their respective state constitution. By refusing to disqualify themselves from these cases, where they have a financial interest in the outcome of them, the Supreme Court has held that their orders are essentially null and void and have no effect or force. Child support laws come from Marxist Soviet Family Laws

The recent (past 50 years) child support laws derive from Soviet Family Law, Article 81 (which started in the Soviet Union in 1917, were modified in 1944 and 1969, and were carried forth into new Russian Family Law in 1995; nothing changed from Soviet Family law to new Russian Family law). Soviet Child Support laws were adopted in the US by radical feminist groups and womens' bar associations into what is now known as the "Wisconsin Child Support Model" (1980s). This model has been adopted in one form or another by every state in the US.

Given that judges, child support workers, law enforcement, politicians, etc. ALL took an Oath of Office to uphold, support & defend the US Constitution as a condition of public employment, this Oath as a condition of the public employees' service recognizes We the People's fundamentally secured rights. By adopting and enforcing Soviet-style, anti-American, unconstitutional child support laws, judges and all other public officials involved commit unconstitutional conflicts-ofinterest, felony Official Misconduct, felony Fraud, felony Racketeering, and even Treason & Sedition for warring against the Constitution and We the People.

Sat, Jun 16 2012 2:51 AM DOCAR Re: Sue NJ Child Support Agency? Lawyer Reply

Assistance Please: Yet, NJ. Family Court judges continue to thumb their noses at the US Supreme Court mandates. This is not only contempt of the Supreme Court, but felony official misconduct by iudges, who are public officials that swore an oath to uphold, support and defend the U.S. Constitution and their respective state constitution. By refusing to disqualify themselves from these cases, where they have a financial interest in the outcome of them, the Supreme Court Joined on Sat, Dec 9 has held that their orders are essentially null and void and have no effect or force. 2000 NV NJ judges salaries, pensions, etc are set by statute. How the state chooses to fund them creates Posts 5,305 no conflict of interest for the judges and no contempt or misconduct. The cases and law were primarily directed at states where the judges were paid based on a percentage of the fines they

Sat, Jun 16 2012 4:01 AM In reply to

Well with that in mind... We can see they have shielded themselves well and indirectly benefit greatly from the exploitation of other citizens. What the State is doing and what the judges are doing is wrong. The more the judges order, collect and enforce, the more matching funds and money come in for the state and them. What a fraud that is. This explains why judges issue excessive child support orders and why they don't emancipate when they should. Follow the money and you will always find the rat. Discrimination, Servitude and Slavery at it's best. To think that I served in the US Military to protect a bunch of Communists. Joined on Sat, Jun 16 2012 NJ Posts 9 Sat, Jun 16 2012 4:10 AM In reply to **DOCAR** Re: Sue NJ Child Support Agency?

Since you are not asking legal questions, perhaps this belongs under current events rather than civil rights. Joined on Sat, Dec 9 2000 Posts <u>5,305</u> Sat, Jun 16 2012 8:43 AM In reply to Re: Sue NJ Child Support Agency? Assistance Please Reply Consumer

Your beef appears to be with the legislators not the judges. The legislatures create the laws, such as child support guidelines, emancipation and the duty to support a child until whatever age it chooses. The judges just enforce the laws. The have no role in determining how the state

I believe child support is important, but it needs to be more fair and with fairly abided by limits. Even though my daughter is an adult, I would voluntarily help my daughter if she personally came to me for help. However, I should not be forced by NJ State to keep paying and paying for an adult and GOD forbid you fall into any arrears they will give you threats of arrest for money (Totally Unconstitutional). No. I have and other Non-Custodial Parents have a beef with the Judges as well, since a majority of them do follow the child support guidelines, do not modify cs orders when warranted and do not emancipate an adult when they should. The family court system feels they are above the law and the constitution. Don't think for one minute that the

Joined on Sat, Jun legislators, state administration, politicians and child support officials don't make it clear to the 16 2012 judges to inflate child support orders for all their benefit (Matching Funds and Greater To The NJ States From The Feds, With No Strings Attached) even if it means destroying citizens lives and Posts 9 families. The current child support system is a fraud, unconstitutional and criminal in nature. Also, even if you put that all behind. There is still the discrimination factor. Sat, Jun 16 2012 8:55 AM In reply to DOCAR Re: Sue NJ Child Support Agency? Reply

Assistance_Please: (Totally Unconstitutional What provision of the US Constitution do you feel they are violating? Joined on Sat, Dec 9 2000 NV Posts 5,305 Sat, Jun 16 2012 9:41 AM In reply to Re: Sue NJ Child Support Agency? Assistance Please Reply

And, it's all under the guise of "violation of court orders", which is a novel legal theory to circumvent the U.S. Constitution's Fourth Amendment prohibition against illegal arrests of people who have committed NO CRIME!!!!! CHILD SUPPORT IS A CIVIL MATTER!!!!!! The U.S. Supreme Court and Federal Courts of Appeals have held that one cannot be arrested for a CIVIL matter because there is no 4th _____ Amendment probable cause that a CRIME has been committed. Child support warrants are Joined on Sat, Jun fraudulent and unconstitutional criminal acts by judges and child support probation depts. 16 2012 Sheriff's depts, are unlawfully doing the bidding of unelected judicial hacks, by arresting and NJ jailing child support obligors who are in arrears, even though the Sheriff is an ELECTED Posts 9 representative of the people and his constitutional oath of office and state law prevents him from arresting people for CIVIL matters.

Pay extortionate ransom-support, and then unconstitutionally jail fathers at the point of a gun.

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506, 512 (1973): "Statutes or ordinances, designed as debt collecting devices under the guise of penal laws, Joined on Sat, Jun contravene the constitutional prohibition against imprisonment for debt. Thus, the legislature may 16 2012 not circumvent the prohibition by rendering criminal a simple breach of contract, the nonpayment NJ of debt, or the failure to use one's own money for a purpose other than for payment of debts. Posts 9 However, statutes against false pretenses, frauds, cheats, and the like, are sustained as against the constitutional objection that such statutes impose imprisonment for debt, on the theory that one who violates the act is punished for the crime he has committed, although civilly the acts may also constitute a breach of contract or the nonpayment of a debt. (16 C.J.S., Constitutional Law, Section 204(4), p. 1011)."

"No person shall be imprisoned for debt in ANY action, or on any judgment founded upon

The Supreme Court of New Jersey takes this point one step further in State v. Madewell, 63 N.J.

Re: Sue NJ Child Support Agency?

Re: Sue NJ Child Support Agency?

contract, unless in cases of fraud".

New Jersey Constitution, Article I, Paragraph 13:

Are you sure it is not arrears that you are paying? Arrears are taken until paid off, no matter how old the child becomes. 18 2009 CA Posts 4.451 Sat, Jun 16 2012 11:29 PM In reply to Re: Sue NJ Child Support Agency?

> No ... I don't owe arrears. But I have owed a small amount of arrears in the past and NJ Family court, hearing officers and probation personnel would not only threaten me with arrest, but would do so to others as well. Many of these people have always paid their support for years and because of the economic bomb have lost their jobs. Threats of arrest in civil debt matters are unconstitutional. I think the time has come to sue them all. If an attorney will not assist me, I will take it upon myself and sue them Pro-Se. How they operate is unjust and unethical. Maybe I will be able to get others who have also been taken advantage of and form a class action suit. These people are communists, violate discrimination civil laws and operate unconstitutionally. They

need to be dealt with. Their criminal acts and horrible greed must end. Things have to change. I

did not serve in the Military to condone and protect a bunch of communists. They have driven

"No person shall be imprisoned for debt in ANY action, or on any judgment founded upon

The problem here is that child support orders are NOT judgments founded on contract. Put another way, child support orders do not come about because one parent sues another for breaching a contract they entered into for support. Child support is, and always has been, a duty

of parents owed to their children by law (either common law or statutory law), not by contract.

based upon a debt is prohibited absent clear evidence of fraud, under every states' constitutions

payers support their kids through welfare, food stamps, and housing assistance to the frustration of judges, while the children and parents suffer in poverty while the owing parent takes lavish vacations and dodges their responsibility. Odds on you finding any legislator to take up your cause and over turn the law(s) or introduce a bill outlining what you are proposing are zero. Even if you could find someone to introduce it to your local legislature I don't see it getting approved

by them for a ballot and if it did get as far as a ballot, it is doubtful voters would pass it.

BUT, if you want to tilt at the windmill Don Quixote feel free. Arguing it here will get you no

where. You aren't the first non-custodial parent to post on the forums that you believe child support and taking care of the children you sired is unconstitutional and that you shouldn't have

many of my fellow soldier comrades to suicide with their unethical practices and tactics. These Posts 9 family court personnel have destroyed people's lives and have torn families apart and they continue to do so today. They are disgusting individuals and do not deserve or belong in the jobs they have. NJ is just one of the most corrupt states in the union and if we continue to allow these individuals to take advantage of citizens for their greed, we all will have nothing left. Sun, Jun 17 2012 12:22 AM In reply to Taxagent Re: Sue NJ Child Support Agency? Lawyer Reply Assistance Please: New Jersey Constitution, Article I, Paragraph 13:

contract, unless in cases of fraud".

Re: Sue NJ Child Support Agency? Assistance_Please Reply Consumer Given the way government goes after child support debtors to fill its coffers, by maximizing federal reimbursement incentive funding, for costs expended and amounts collected, this presents not only a conflict of interest, but fraudulent and treasonous government abuse of power and government oppression. Every U.S. Court of Appeals that has addressed this issue, has held that child support is a common, commercial (and civil) debt subject to all debt collection procedures under the Fair Debt Collection Practices Act. See, U.S. v. Lewko, 269 F.3d 64, 68-69 (1st Cir. 2001)(citations Joined on Sat, Jun omitted) and U.S. v. Parker, 108 F.3d 28, 31 (3rd Cir. 1997). Based on this fact, imprisonment

Thus, this provision of the NJ constitution doesn't come into play here.

prohibiting Imprisonment for Debt. Posts 9 Sun, Jun 17 2012 12:50 PM In reply to ClydesMom Re: Sue NJ Child Support Agency? Consumer Reply Unfortunately for you there are far more deadbeat parents who aren't paying at all while the tax

to do it and you won't be the last. "That's just my opinion, then again I might be wrong." Dennis Miller

Re: Sue NJ Child Support Agency?

Deadbeats are not the majority and in fact are only 2 to 3% compared to the many non-custodial parents who pay their support willingly. As I have said before, I believe child support is very important and favor it. However, there comes a time when it should end. The truth is most men pay their child support and most are taken advantage of by the Family courts and judges. There are even cases when the mother defends the father in the support of his children and has experienced a hardship, still the family court slams the father. These practices are notorious here

created Tue, Jun 19 2012 4:05 PM In reply to Paddywakk Re: Sue NJ Child Support Agency? Consumer I believe NJ follows NY, where child support can be ordered until age 21.

in the corrupt state of NJ. If we really want to speak the truth of the welfare system, the majority

of it is illegal immigrants who obtained citizenship fraudulently, drunks and drug addicts, felon excons and now it also consists of the normal people who lost their jobs from the economic bomb

that the criminal element that still sits in our government now and the criminal corporate ceo's

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Lawyer

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Assistance_Please

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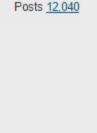




NJ

Sun, Jun 17 2012 12:38 PM





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