I hired Mark P. McAuliffe right after my son was removed from me by DFYS (now called DCP&P) Case Worker Danielle Gonzalez, about April 15thh, 2011. My then-attorney Judith Ball who left me stranded and did not show up at that hearing on April 11th, 2013 before Judge Frances A. McGrogan. I called Mark P. McAuliffe’s office since he was referred to me by a lawyer on Bergen County as an aggressive lawyer who knew how to fight DCP&P and would get my son home.  When I called Mr. McAuliffe to see if he could be in court to represent me, he said he could not take my case that week since he was busy, but to look for public defender, Michael Lamolino, who was able to help me in the meantime and he would talk to Michael Lamolino and to go to his office with ten thousand dollars to retain him. When I retained him, he said he would get my son back within six months. However, he was dishonest in telling me that he had represented my caseworker investigator, Luis Padierna, in his own personal legal family matter with his son, and where he was testifying for his best friend as a witness being accused of molesting boys and girls.

On or about May 12th, 2011 we had a hearing – Mark P. McAuliffe then representing me, before Judge Frances McGrogan, Mr. McAuliffe surprised me when he told the judge, without discussing with me, that I was to be pleading guilty of emotionally harming my son and neglect and he was asking to start immediate reunification. I was in shock. I was expecting Mr. McAuliffe to fight for my son to be returned back to me and the judge clarify why my son was removed, when the judge had ordered on February 2011 for my son to remain with me and his father Mr. Yonos to have continued supervised visitation.  I interrupted Mr. McAuliffe and asked why was he doing that? I was NOT pleading guilty to a crime I did not commit. Judge France Mc Grogan told Mr. McAuliffe to talk to me outside the court room and get clarification.

I told Mr. McAuliffe that I was outraged with the way he had proceeded. Mr. McAuliffe told me that the judge was a difficult judge and she had hired as an attorney for DCP&P (former DFYS) taking children away from parents and he did not see a way out on my case other that play the game and for me to start reunification because this judge was never going to admit they had made a mistake by giving my son to my ex-husband and this was done by Danielle Gonzalez and the Judge needed to protect DCP&P because she worked for them for 25 years. I told Mr. McAuliffe I was not moving forward and to tell the judge to stop the hearing and I wanted to fire him and get another attorney since he had acted unethically. Mr. McAuliffe said okay, we will go to trial then. I said, just stop this hearing, but he said “I will tell the judge, we will go to trial.”

I noticed Mr. McAuliffe was stretching days for what he promised it was going to be a ten-day trial and it would not take more than three weeks to get it over just in case there were some other emergencies that the judge may, in the end, reschedule. It was not true. They were scheduling hearings for every two months and for a period of three hours and even one hour. We only had during the fact-finding trial, about two or three days that were full days of six hours straight. The trial lasted 22 months. I also told Mark I had caught the GAL Caryn Stalter lying that she had gone to my son's school and spoken with the principal and superintendent and teachers. I had meeting at my son’s school and I have audio recording where they all state they never had seen her at the school, nor met with them. I asked Mark to subpoena GAL Caryn Stalter's notes and Mark responded he could not because she was not caseworker.

**MARK P MCALIFFE IGNORED MY SON’S SERIOUS ALLEGATIONS**:

**April 11, 2011** we appeared before Judge Frances McGrogan for an emergency hearing. Ms. Reesa Villani wrote a letter to Judge Frances Mc Grogan and informed DFYS that the father was dangerous to the child, as she has caught him touching the child's private part while putting the 5-year old in the car seat. She also reported the father had screamed at her and she feared for her life. She withdrew from supervising the visits. The judge ignored that letter on April 11, 2011 stating that Mother is to have supervised visits one hour per week at DFYS facility with psychologist PHD clinicians Rachel Poland and Patricia Kryger. Judge Frances McGrogan removed Rachel Polan from being one of the supervisors. Mother complained that Rachel Poland was providing reports that were totally different than what was happening during the visits. Mother had been recording the visits. During the fact-finding trial Rachel Poland was found to a relationship with the father of the child.

**January 26th, 2012** VCD supervised mother and child; clinicians psychologist from Children Aids and Family (CAFS ) Patricia Kryger and Maria Mathanis: child pulled down his pants and told both clinicians to put their mouth in child’s penis child opened up his buttocks and told both clinicians to stick their fingers in his anus. Both clinicians called DYFS supervisor Nicole Miller the visit was held at DFYS office; child was terrified in that in the presence of mother and one of the Clinicians Maria Mathanis. Child said that he did not wanted to go home with his father; his father was going to kill him; his father had a black gun and was going to put it on his head. Child ran into the corner of the room, facing the wall saying, “Please help me, somebody please help me, I want to die, nobody helps me.” DFYS supervisor Nicole Miller decides to end the visit that was being held at DFYS facility division and handed the child to his father. Mother was informed that by the next day she would know what the division would decide according to experts from Audrey Hepburn Children's house. No one contacted the mother from neither Audrey Hepburn Children’s House (AHCH) nor Children's Protective Services (DCP&P). Both clinicians Patricia Krieger and Maria Mathanis withdrew from supervising the visits with the mother; both stated to the mother over the phone that they had concerns regarding the child being abused by the father and they were not experts in sexually child abuse.

I called Mark P. McAuliffe Esq. and also sent him a text message of what had happened during my visit and I never heard back from Mr. McAuliffe until 20 days later. I showed up at his office angry and demanding what he was doing with my case. Then he was nervous and said he was going to do an OSC but that he was afraid that Mary Zec, the Deputy City Attorney would say to the judge we had spoken Spanish during my visit with my son for his birthday and that was not true. This idea came from Mark and that was exactly what Mary Zec argued in court. Also in front of me, in his office, he said “Be quiet, I am calling Mary Zec (DCP&P Attorney) to let her know I will do an OSC.” I asked Mark if he had to ask her permission for any of this who was he working for me and my son Keith-Alexander Yonos (K.A.Y.) or for DFYS, now called DCP&P.

August 2012 during the Mother's supervised visit with former DFYS now DCP&P caseworker Joanne Tactack the child told a case supervisor that his penis was hurting and to please take a look at his penis and see how bad it was hurt. Caseworker said to “just keep playing with your mother.” Child told the mother and case worker again that his penis was hurting very badly, please both to take a look at his penis. Mother asked caseworker to please call a nurse to check up on her son penis please. The caseworker denied mother's request and gave the child to the father. The caseworker informed the mother that she told the father to take the child to his own pediatrician for an examination and she would get back to the mother the following day. Mother called the division to find out the status of her son's medical examination. Caseworker informs the mother that she found out that the father have left on a business trip very suddenly and they were not happy and we're going to address the issue with the father. Mother asked where was the child? The caseworker said that they were not going to provide that information to the mother.  
I reported this to Mr. McAuliffe and he never got back at me. He ignored all these opportunities to go before the judge and argue my son was not living with me and he was still making sexual allegations. One week later, father comes back from a business trip and takes the child to his pediatrician, who finds that child informed him that his penis was hurting the week before but pediatrician did not see anything abnormal.

Mark McAuliffe Esq. never pushed for the visits to be supervised with Mr. Keith Yonos, never saw the red flags that had been seen by the visitation supervisor of Mr. Yonos touching Keith Alexander in the car on his private parts and she faced Mr. Yonos and they had an argument and he threatened her life. This was because Mr. Yonos still had a toddler car seat when my son was on an age of a booster instead and she noticed he was taking too long to accommodate my son in that car seat. Ms. Reesa Villani got out of the car where she was sitting in the front seat and she saw Mr. Yonos touching the child and my son's face so uncomfortable. Ms.Villani asked Mr. Keith J. Yonos “what are you doing”, the fight went on. They had a loud verbal fight when he dropped her at my home with my son. Ms. Reesa Villain was very sacred of him and said she was writing a letter to the judge. That was when Judith Ball was my attorney and prior my son removal but Mark disregarded it.

On January 20th, 2012 I was allowed to have supervised visitation to celebrate my son's birthday with a paid supervisor Dr. Dennis Chateinne in Englewood NJ.  The court order by Judge Frances McGrogan stated that Mr. Yonos was to drop off my son to Dr. Chateinne’s office and I would pick my son up. We had two hours to celebrate his birthday. I went with my friend’s father in the car that I was driving with Mr. Hector Castro. We picked up my son and Dr. Dennis Chateinne; after a small session in his office and my son and I hugged each other. We went to Outback on River Road in Edgewater for dinner. It was a quick dinner and my friend, Jazmine Gomez, her father and mother, her 12-year-old son and my Turkish friend Mr. Gulgu attended who doesn’t even speaks Spanish. We had not time to basically talk but we were full of joy that we were able to open up presents and have dinner and sing happy birthday to my son. We were only thirty minutes late to go back to Dr. Chateinne’s office. Dr. Dennis Chateinne texted and spoke with Mr. Keith J. Yonos that we would be by his office by 7:45 PM.

Nothing unusual when Mr. Yonos had supervised visitations with Kathryn Dixon - he was up to one hour and half hours late from his court order time and I was always flexible. When we arrived to drop off my son t0 Dr. Chateinne’s office, we saw a man coming from behind a tree, it was dark and he grabbed Dr. Chateinne and told him he was late and insulted him. Mr. Yonos opened the left back door of my car and pulled my son out. He was dragging my son by his clothes and my son was saying he was being hurt. He dragged my soon all the way to the sidewalk. Dr. Chateinne intervened and he said you are hurting the child. I got out of the car and Mr. Yonos threatened me and put his finger on my nose. There was a witness, Jazmin's mother Libya Gomez and she said please call the police. I was trying to get my cell phone form my hand bag but then Mr. Yonos kept dragging my son, screaming at him and put him in the back seat of his car, not even making sure the child had put seat belt on and was sitting properly on the booster seat, and then drove away. Dr. Chateinne promised he would call DFYS that night and report it. He did not. I called my lawyer and left him a message and no response.  Mr. Yonos wrote a letter to the judge and turned the story around. We ended in a OSC by Mr. Yonos. Dr. Chateinne testified and said Mr. Yonos needed to be evaluated by a psychiatrist and my son was in tremendous danger. I wanted to testified and the witness Libya Gomez too but Mr. McAuliffe did not say anything nor defended the case properly. Dr. Chateinne was dismissed form the case as a supervisor that day. After Dr. Chateinne, I had no visits for over four months until the GAL and DCP&P got an agreement on who could be a qualified clinician supervisor. I reported this frustration to Mr. McAuliffe and told the Judge. Mr. McAuliffe ignored me and told me to "play the game".

I had several disagreements with Mark P. McAuliffe because I thought it was important that he find the lost documents from the Families First and the clinicians prior to the removal that stated that the safety of my son Keith Alexander (K.A.Y.) was in my home and that their recommendation was for "family therapy at Audrey Hepburn Children House" and that those documents disappeared and McAuliffe did not wanted to touch that during trial. Where are those documents and why were they ignored?

I called Mark P. McAuliffe after I have my supervised visitation with Donna Lobiondo, Psychologist in Montclair NJ, and, my mother was also present during my visitation with my son. That there had bee an incident with Mr. Keith Yonos in the waiting area. Mr. Yonos was harassing my mother and myself and I had requested for Ms. Lobiondo to please make special arrangements prior our arrival where Mr. Yonos was not ot be in the same room with my mother and I when our son arrived to the visit. Such arrangement was granted but when we arrived it was not set the way it was promised. Mr. Yonos was sitting in the waiting area and told our son not to greet his grand mother-my mother. I reported to Mark P. McAuliffe that my mother was not allowed to communicate to my son since she does not speaks English and my son was forbidden per court order to speak any other language but only English.

Also I told Mark P. McAuliffe that my son in a previous supervised visit at Donna Lobiondo’s office My son Keith-Alexander had ran away from the DCP&P case worker in the parking lot – (Caseworker that drove him to the supervised visit) and there were cars driving by and the caseworker didn’t do anything to protect my son. My son was at risk to be hit by a vehicle.

I was expecting for Mark P. McAuliffe to file and OSC before Judge Frances A. McGrogan regarding this incidents but he did not get back to me. Never even responded to my phone calls.

Mr. McAuliffe was focused on the money that according to him I owed him when I had never signed a written agreement that I was to pay him more than 50K for the entire case.

Dr. Donna LoBiondo, Supervisor suspended my visitations and told the judge I had threatened to go to the Media and expose my case and her lack of protection to my son during the parking lot incident and in her waiting area with my son present and his father Mr. Keith Yonos bullying my mother and myself and telling my son not to greet his grand mother.

Mr. McAuliffe ignored this too. Mr. McAuliffe knew about this and he said he was going to report this incident even though he was not my attorney at that time and also said during a hearing my son was at the court house daycare and I was not happy because his father put our son in danger with the children of who knows maybe criminals. Mr. McAuliffe never did anything about this. Judge Frances A. McGrogan gagged me, forbid my son and I to speak our native language Spanish, forbid my son to speak to any of my side relatives to speak Spanish when they speak no English and they flew form overseas to se my son; and allowed my son to be in the courtroom when he was removed from me one week later, witnessing his father and I argue. My son was sitting alone in the back bench of the courtroom. He was six years old. He was crying and asking for his mother. He was crying hysterically —all so traumatic for a child.

I had reported to Mark P. McAuliffe that my son’s school Principal informed me and his teacher that they were unaware that there was still a DFYS (DCP&P) case going on. The principal told me he had not seen a caseworker and never meet with GAL Caryn Stalter. Caryn Stalter sated over the oath several times she had met with my son’s teacher and the Principal and Superintendent of the school. I asked Mark P. McAuliffe to subpoena Ms. Stalter’s note and Mark told me he had asked Ms. Stalter and she had said she was not my case worker and di not have to provide me notes. I have all of these evidence e-mail and audio recordings.

Mark was calling me asking me to bring ten thousand dollars to his office. I told Mark I had e-mail where he stated the final amount he was charging for my case and I had paid him already, my son was in danger and he was not doing anything about it.

I decided to Google about DFYS (DCP&P) cases and I found out that I was not the only protective mother that had lost her child because of reporting sexual abuse and the children were given custody to their identified abusers as well I found out about “foster care business.”

I connected with many advocates in the United States to know more about this terrible situation and I found thousands of parents in very similar situation I was. I went ot Mark P McAuliffe’s office and I told him about all these advocates and organizations. Mr. McAuliffe was very defensive and instead of being helpful and understanding decided to withdraw from my case and left me stranded.

He wrote a motion asking to dismiss him from the case and asking the judge for me to pay a balance of almost 50 thousand dollars when there had never been a written agreement.

I wrote a cross motion as a Prose litigant demanding Mr. McAuliffe to stay in my case as my attorney since I had not money to hire another attorney and we were at the end of the trial and my ex husband had retained his attorney Ira Kaplan and they were going to be asking for sole custody of my son Keith-Alexander.

During the hearing Public Defender Michael Lamolino was present. That was very strange to me. No one in that court room but us plaintiffs and defendants and Mr. Lamolino. Judge Frances A. McGrogan granted Mr. McAuliffe to be dismissed form the case and they forced me to take the public defender Mr. Lamolino when specifically requested that if Mr. McAuliffe was to be dismissed I wanted to be a Prose litigant and I requested for all my case documents. GAL Caryn Stalter opposed that I would be a prose litigant and told the judge I would go to the press and expose my case and I must be under the Public defender. I argued that issue and the Judge force me to sign a document that Mr. Michael Lamolino was to be my attorney going forward. I asked to sign it another day since I wanted to consult this mater with my family but the judge said no.

Judge France A. McGrogan denied Mr. McAuliffe the balance he claimed I owed him since there was no written agreement signed by me that I owed him that money but a letter where Mr. McAuliffe stated that all I owed him was 20 thousand Dollars and I had already paid him in full.

Mr. Mark P. McAuliffe bullied my appeal attorney Mr. Mario blanch for almost one year denying to transfer my case to Mr. Blanch since he was hired by me.

I needed documents that Mr. McAuliffe had in my file in his office in order for me to comply with court order to restore visitations with my son Keith-Alexander.

Mr. McAuliffe told my appeal lawyer Mario Blanch that my case had an order of protection and in order for him to transfer my files he would need to go before the judge. That was not true. Mr. Mario Blanch sent Mr. Mark P. McAuliffe a letter informing him that for a period of over nine months he was asking for my case files and he was not cooperating in transferring them therefore Mr. Blanch was going to turn Mr. McAuliffe to the board of ethics and file a complaint about him.

Mr. McAuliffe then decided to transfer my case within one week—nine moths later of us not having a document to work with.

Mr. Mark P. McAuliffe continues to harass me weekly by sending me attorney’s bills via regular mail – when I have no payments obligations with his office.

In sum Mr. Mark McAuliffe has violated the following Rules of conducts:

Rule 1.1: Competence

Rule 1.2: Scope of Representation

Rule 1.3: Diligence

Rule 1.4: Communication

Rule 1.5: Fees

Rule 1.6: Confidentiality of Information

Rule 1.7: Conflict of Interest: General Rule

Rule 1.8: Conflict of Interest: Prohibited Transactions

 Rule 1.9: Conflict of Interest: Former Client

Rule 1.10: Imputed Disqualification: General Rule Rule 1.11: Successive Government and Private Employment

 Rule 1.13: Organization as Client

1.16: Declining or Terminating Representation

PART 2. COUNSELOR

Rule 2.1: Advisor

Rule 2.2: Intermediary

Rule 2.3: Evaluation for Use by Third Persons

PART 3. ADVOCATE

Rule 3.1: Meritorious Claims and Contentions

Rule 3.2: Expediting Litigation

Rule 3.4: Fairness to Opposing Party and Counsel

Rule 3.5: Impartiality and Decorum of the Tribunal

Rule 3.8: Special Responsibilities of a Prosecutor

Rule 3.9: Advocate in Nonadjudicative Proceedings

PART 4. TRANSACTIONS WITH PERSONS OTHER THAN CLIENTS

Rule 4.1: Truthfulness in Statements to Others

Rule 4.2: Communication with Person Represented by Counsel

PART 5. LAW FIRMS AND ASSOCIATIONS

Rule 5.1: Responsibilities of a Partner or Supervisory Lawyer

Rule 5.2: Responsibilities of a Subordinate Lawyer

Rule 5.3: Responsibilities Regarding Nonlawyer Assistants

Rule 5.4: Professional Independence of a Lawyer

Rule 5.5: Unauthorized Practice of Law

Rule 5.6: Restrictions on Right to Practice

Rule 6.1: Public Interest Legal Service

Rule 6.2: Accepting Appointments

PART 7. INFORMATION ABOUT LEGAL SERVICES

Rule 7.1: Communications Concerning a Lawyer's Services

Rule 7.3: Direct Contact with Prospective Clients

Rule 7.4: Communication of Fields of Practice and Certification

PART 8. MAINTAINING THE INTEGRITY OF THE PROFESSION

Rule 8.1: Bar Admission and Disciplinary Matters

Rule 8.2: Judicial and Legal Officials

Rule 8.3: Reporting Professional Misconduct

Rule 8.4: Misconduct

Rule 8.5: Jurisdiction

Top of Form

Bottom of Form