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Marin Court Misconduct

Background & History on the 28-Month-Old Complaint Against Judge Beverly Wood for Obstruction of Justice & Evidence Tampering to the California Commission on Judicial Performance (CJP).

[5.31.2017 Letter with attachments from Barbara Kauffman to Victoria Henley Regarding Unintelligible CJP Response to 6/9/14 CJP Complaint regarding Beverly Wood \(PDF\)](#)

For Immediate Release:

June 19, 2014

Contact: Kathleen Russell

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Complaint Filed Against Marin County Superior Court Family Law Judge Beverly Wood & Court CEO Kim Turner for Evidence Tampering

SAN RAFAEL – California Family Law Attorney Barbara Kauffman submitted a detailed complaint last week to California law enforcement and judicial oversight officials alleging that Marin County Superior Court Family Law Judge Beverly Wood and Marin County Court Executive Officer Kim Turner participated in backdating official court records. The complaint requests a criminal investigation of Wood and Turner and, if appropriate, indictment for evidence tampering and obstruction of justice. [Read the Official June 9, 2014 Complaint to Law Enforcement here.](#)

The complaint indicates that Wood was previously reported to the California Commission on Judicial Performance in connection with record-tampering concerns, and that Turner previously engaged in the mass destruction of child custody evidence contained in Marin Family Court Services mediation working files during a legislative audit of the Marin Family Court.

MARIN COURT CEO BLOCKED STATE AUDITOR WITH DOCUMENT DESTRUCTION

Turner's 2009 destruction of child custody mediation working files, which were frequently subpoenaed when parents wanted to challenge a mediator's recommendation to the court about child custody, took place while she was serving as a member of the Judicial Council of California. The evidence destruction sparked a local public protest and a call for criminal investigation. However, the Marin Court stated that the destruction took place with the knowledge and approval of the California Administrative Office of the Courts (the staff agency of the Judicial Council), and both the AOC and the Marin Court argued that the destroyed documents were not "official court records." [Read the 2010 local Marin news article about this here.](#)

Ironically, Turner was the recipient of the California Judicial Council's 2013 "William C. Vickrey

Leadership in Judicial Administration Award.” According to the Judicial Council, this award honors individuals in judicial administration for “significant contributions to and leadership in their profession.” In making the award to Turner, the Judicial Council noted that she “has been a very active member of a working group improving trial court records management.”

Kauffman made headlines in January 2013 when she initiated Quo Warranto lawsuit proceedings against longtime Shasta County Family Law retired Presiding Judge Jack Halpin, who had been repeatedly “temporarily” assigned to serve on the Shasta County bench for 18 years, which Kauffman alleged violated the public’s constitutional right to elect their local judges. California Chief Justice Tani Cantil-Sakauye removed Halpin from the Shasta County bench within two weeks. [Read the 2013 Record Searchlight news article about this here.](#)

MARIN JUDGE & CEO ILLEGALLY BACKDATE ORDERS

The 6/9/14 complaint alleges that the court records that were backdated by Turner and Wood include the official Marin Superior Court register of actions and a minute order pursuant to which Wood herself undertook to strike a judicial disqualification request lodged against her. The disqualification request was based on claims that in a child custody case pending before her, Wood repeatedly gave special treatment to, and engaged in secret communications and hearings with, a former client of her husband’s law firm, Freitas, McCarthy, MacMahon & Keating. Wood’s financial disclosure forms have indicated that Wood has a substantial financial interest in that firm, and that she worked there prior to serving on the Marin bench. Wood and Turner reportedly have refused requests to issue and serve an official Notice of Entry of Order stating the actual date on which the minute order striking the disqualification request was entered. The complaint demands the removal of Wood and Turner from the Marin Courts.

Kauffman’s concerns about conflicts of interest between the Freitas McCarthy firm, Wood and other members of the Marin County bench date back to 2005. [Read about these conflict of interest concerns here.](#)

OHIO & TEXAS JUDGES INDICTED IN 2014 FOR EVIDENCE TAMPERING

This year alone, at least two judges, Ohio Judge Tracie Hunter and Ohio Judge Harry Jacob III, have been indicted on evidence tampering charges, among others. Texas Judge Denise Pratt

resigned to avoid criminal prosecution. Two of these three cases directly related to backdated orders.

- **Ohio Judge Tracie Hunter:** [Court blasts indicted Judge Tracie Hunter](#)
- **Texas Judge Denise Pratt:** [Embattled judge Pratt resigns, suspends campaign](#)
- **Ohio Judge Harry Jacob III:** [Bedford Judge Harry Jacob III indicted again by a Cuyahoga County Grand Jury](#)

###

READ IT HERE: JUDGE WOOD COACHES FATHER TO NOT FOLLOW THE LAW

CJE was able to obtain a copy of the 4-page [Feb. 6, 2014 public hearing transcript](#) that is referred to as Exhibit H in the 6/09/14 complaint. It appears that Judge Wood essentially instructed the former Freitas McCarthy client before her to not follow the law; she then excused him from following the law; and then she granted his non-emergency ex parte request for relief.

Here is the [California law on ex parte proceedings](#) that is referred to as Exhibit I in the 6/09/14 complaint.

RELATED CONTENT

2014 Marin Judge & CEO Evidence Tampering Complaint

- Official June 19, 2014 Press Release: [Complaint Filed Against Marin County Superior Court Family Law Judge Bev Wood & Court CEO Kim Turner for Evidence Tampering](#)
- [Official June 9, 2014 Complaint to Law Enforcement](#)
- [Marin Presiding Judge Faye D'Opal's 7/10/14 Response re Complaint & Barbara Kauffman's 7/22/14 Reply](#)
- [Marin County Counsel's 7/10/14 Response re Complaint & Barbara Kauffman's 7/22/14 Reply](#) (original complaint included in PDF)
- [Barbara Kauffman's Response to the California Attorney General \(July 12, 2014\)](#)
- [The CA Commission on Judicial Performance Response re Complaint \(July 10, 2014\)](#)
- [Marin Civil Grand Jury Response re Complaint \(June 30, 2014\)](#)
- [Will Complaint About Judge's Evidence Tampering Lead to Criminal Indictment? It Should. –](#)

Blog by CJE Executive Director Kathleen Russell (July 9, 2014)

- [When the court falsifies the record it undermines the integrity of the judicial system](#) – Judicial Council Watcher (June 20, 2014)

Background on Attorney Barbara Kauffman & Marin Court CEO Kim Turner

- [Initiated Quo Warranto Lawsuit from Barbara Kauffman](#) (December 6, 2012)
- [Important Background on Kim Turner & the Judicial Council of California](#) – Justice California
- [Judicial Council's Official August 22, 2013 Press Release Announcing Kim Turner's Award](#)

Marin Court Document Destruction

- [CJE's Request for Criminal Investigation Regarding the Destruction of Marin Family Court Evidence While Child Custody Cases Are Pending, and During a Legislative Audit of the Marin Family Court](#) (September 15, 2010)
- [Document purge in Marin family court draws scrutiny](#) – Marin Independent Journal (August 6, 2010)
- Official August 5, 2010 Press Release: [Presiding Judge Requests Audit of Marin Family Court](#)
- [Investigation Report: Destruction of Family Court Mediator Working Files](#) (Superior Court of California, County of Marin) – The Administrative Office of the Courts (August 2010)

2011 Audit of Marin Family Court

- [Marin Voice: Audit unveils court problems](#) – Marin Independent Journal, OpEd by CJE Executive Director Kathleen Russell (January 28, 2011)
- [California State Auditor Report – Sacramento & Marin Superior Courts \(PDF\)](#) (January 2011)
- [Lieber seeking audit of family court system](#) – Capitol Weekly (June 26, 2008)

Marin Family Court Background

- [National Center for State Courts Operational Review Superior Court of California County of Marin Family Law Division](#) – National Center for State Courts Court Consulting Services (February 2002)
- For additional information, visit CJE’s page [“Family Court Crisis Background”](#)

Judge Denise Pratt

- [DA still could indict Pratt if new evidence arises](#) – Houston Chronicle (May 8, 2014)
- Attorney Greg Eno filed three criminal complaints against Judge Denise Pratt:
 - [Feb 14, 2014 Criminal Complaint re Karen Hyde – part 1](#)
 - [Feb 14, 2014 Criminal Complaint re Karen Hyde – part 2](#)
 - [Jan 16, 2014 Criminal Complaint](#)
 - [Nov 3, 2014 Criminal Complaint](#)

Judge Tracie Hunter

- [Judge Tracie Hunter indictment](#) (January 2014)
- [Court won’t dismiss charges against Ohio judge](#) (July 15, 2014)
- [FOX19 Investigates: Grand jury indicts Judge Tracie Hunter](#) (January 10, 2014)

Judge Harry Jacob III

- [Ex-judge gets 60 days and 6 months of house arrest for prostitution and court records convictions](#) – ABA Journal (October 16, 2014)
- [Corrupt Former Bedford Judge Harry J. Jacob Indicted On Five More Counts Related To Prostitution Ring](#) – Cleveland Scene (March 4, 2014)
- [March 4, 2014 Indictment](#)
- [Click here](#) to read his first indictment, alongside Bedford law director Ken Schuman

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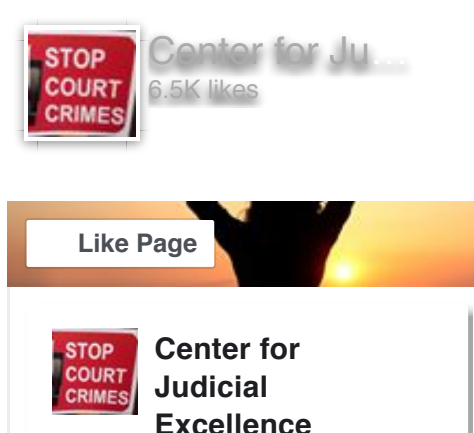
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