

Tragic Suicide of NY Lawyer Shines Unforgiving Light on Family Court System

A prominent New York City lawyer who beat breast cancer twice was blocked from seeing her kids while a bitter divorce raged. She recently committed an assisted suicide in Switzerland on May 27th and in a note she posted on Facebook, she said while she had recently been diagnosed with terminal cancer, her decision to take her own life was tied directly to Family Court blocking her from seeing her own children. She and her husband Allan Kassenoff filed for divorce in 2019. Author Amy Neustein, who wrote "From Madness to Mutiny: Why Mothers Are Running from Family Court" tackles the explosive topic for Straus News. She says the Family Court system is beyond broken and needs to be changed.

AMY NEUSTEIN | 12 JUN 2023 | 01:41



Catherine Youssef Kassenoff plays with one of her three daughters in photos she posted on Facebook before she said she was taking her own life on May 27 because she said NY Family Court would not let her spend time with her three daughters. She was in the midst of a bitter divorce from her husband. Photo: Facebook

Tags

AMY NEUSTEIN - ASSISTED SUICIDE -

CATHERIN YOUSSEF KASSENOFF -

FAMILY COURT -

Last month when a former federal prosecutor and special counsel to Governors Cuomo and Hochul posted a chilling suicide note on Facebook the news spread fast among family court reform advocates, divorced parents support groups, and many in the legal profession. Catherine Youssef Kassenoff, married to a full partner and shareholder at a prominent New York firm, and whose own illustrious career also included

serving at the United Nations as deputy counsel to Paul Volcker and as counsel for Citigroup, wrote: "It is with profound heartbreak, that I hope none of you ever experience, that I'm writing my last post ever. Today I will be ending my own life. I will be doing so in a dignified and idyllic setting in Europe. There are simply no options left." She then pinpointed the reason for her despair: "In the last four years I have woken up every day to a nightmare like no other...I cannot survive this torment and grief that comes from such a prolonged separation from my children."

A Birdseye look into the desperation encapsulated in her suicide note would show the Kafkaesque world of family court—a world so surreal that it defies logic, rationality, and common sense. In fact, Kassenoff got further in the court process than most other litigants that find themselves trapped in this miasmatic world of family court madness. That is, she got the family court judge to recuse himself. She got the Attorney-for-the-Child, otherwise known as the AFC, removed from her case. Most important, she succeeded in getting the court-appointed custody evaluator removed by the Mental Health Professionals Certification Committee in the First and Second Judicial Departments as a forensic expert. What this means is that women who were subjected to this biased expert whose denigrating, sexist language—calling women "whores" in his Facebook posts – and to his improper questioning of them about their sex lives would finally be relieved of him.

The problem is that the family court is so inexorably insidious, treacherous, and unpredictable that expunging one expert is only followed by another and another of the same persuasion. The family court system is beyond broken. And that is the belief of many who study the system.

While there are judges that are honorable, diligent, and fair minded this has tragically not reflected the norm for many years. Vultures flock to the family court—exorbitantly high-priced custody evaluators, law guardians, visitation monitors, and mediators – because they smell out the weaknesses of disintegrating families. Children are shoveled through a system of court-appointed "experts" who in providing "therapy" are at the same time recruiting subjects for profit-making institutions: reunification camps, residential treatment centers, and "therapeutic" boarding schools. What have we done to our children?

Shockingly, children of middle/upper middle class homes have been found to end up in foster homes that take in children of divorce. The purported purpose of such placements is to “shield” the child from the tension of divorce proceedings, even when the parents have separated and are no longer living together or even talking to one another. Ironically, the same child protection system loathe to step in and rescue a child from a home where they are starved, beaten, and denied clothing, education and medical care, will show alacrity in taking in children whose parents are spending well into the six figures to obtain a divorce and custody judgment. Why are the tax payers footing this bill? And who is looking the other way when foster care is ordered for such inane and improper reasons while abandoning the children who are dying in drug-addicted homes?

In the midst of the imbroglia surrounding Kassenoff’s tragic assisted suicide, some very nasty facts about the arcane world of family court have catapulted to public attention.

Unacceptable forms of cronyism, patronage, and favoritism have surfaced. Truthfully, it’s embarrassing to see a venerable institution devolve into such a problem plagued and broken system. The victims are the women and children, and the men who have likewise been expunged from the lives of their children, or have had to work themselves to the bone to pay for litigation just to stay as fathers. While men generally, unlike women, will often go on to create new families, the gnawing emptiness of their separation from their progeny is a sadness that never lifts. Understandably, women are more prone to suicide when they lose their children; men are more prone to sadness while putting up a good front of masculine vigor. Can we end this war? Perhaps if we come together to excise the venality from the family courts—rather than excise parents from the lives of their children—we will be able to make sense of this tragic suicide that befell a New York lawyer.

Amy Neustein, Ph.D., co-author, *From Madness to Mutiny: Why Mothers are Running from the Family Courts – and What Can be Done about It* (University Press of New England, 2005). She is hard at work on a sequel: “*Mother-Mugging: The Civil Rights Crisis in the Family Courts – and What Can be Done about It*” (Oxford University Press, forthcoming)