

No. 21-525

In The
Supreme Court of the United States

HEMANT BHIMNATHWALA,

Petitioner,

v.

JUDICIARY OF THE STATE OF NEW JERSEY,
FAMILY DIVISION; LOPA S. SHAH; HONORA O'BRIEN
KILGALLEN; JOANNE MC LAUGHLIN; LISA P.
THORNTON; TERESA A. KONDRUP-COYLE; TONYA
HOPSON; STUART RABNER; REBEKAH HEILMAN,

Respondents.

On Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Third Circuit

PETITION FOR REHEARING

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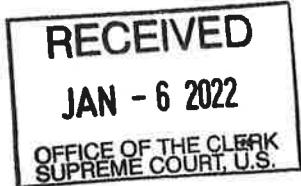


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PETITION FOR REHEARING

In accordance with this Court’s Rule 44.2, petitioner respectfully seeks rehearing of the Court’s order denying certiorari based on adverse impact the conduct described in the petition has on a large number of children and families.

Chief Justice Roberts notes in his 2021 year-end report on the judiciary on poor optic resulting from the individual judges’ “financial conflicts of interest.” The same applies when there is institutional conflict of interest emanating from 45 CFR § 305.31 and further the conduct also lines the pockets of family lawyers involved. The conduct alleged in the petition is also highly unethical and serves no societal benefit. The Second Circuit’s ruling implicitly concedes that the conduct is unconscionable but otherwise deflects on the constitutional/legal issues.

Original petition did not adequately describe the adverse impact and allow me to do so. This is documented, among many others, on:

1. <https://www.cnn.com/videos/tv/2018/11/07/this-is-life-lisa-ling-season-5-episode-7-ron-3.cnn>, or
2. <http://www.erasingfamily.org>

CNN is a well respected national broadcasting station and Lisa Ling is an award-winning journalist with CNN. The impact described above is the norm with separated families. Google search on “Family Court Corruption” yields over **116 Million** results, nearly 40

thousand with exact match. Similar search in YouTube brings many deeply troubling cases.

This is a matter of grave concern and merits serious consideration by this Court. Petition alleges that family court conduct violates the Fourteenth Amendment and The Civil Rights Act of 1964.

Clearly, money is driving this unconstitutional practice. The evidence clearly reflects that the Family Court practices have adverse impact on children and families. Yet, to the best of my knowledge, no attorney has presented any legal arguments alleging discrimination to this Court. Facebook has groups that provide a forum for equal parental rights. One such group, “The Father’s Rights Movement” or TFRM, has more than 650 thousand members. Unfortunately, this moderated group is controlled by family lawyers (with fake profiles) who block any discussion on legal arguments and strategy. The moderators would not even allow a post that this petition is pending.

In 2018, Kentucky was the first state to enact an explicit rebuttable presumption of joint legal custody and equal physical custody for temporary and final court orders, H.B. 528, modifying KRS § 403.270. While there are efforts in many states, including in New Jersey, these efforts are often defeated by opposition from local Bar Associations (as described in Erasing Family above). Family lawyers benefit heavily by fueling family division sowed by the unequal parenting rights. Family lawyers have no expertise in public policy otherwise.

It is noteworthy that Sweden has implemented presumption of joint legal custody and equal physical custody on separations. It turns out Sweden has much better outcomes for children. Also, Sweden leads the world as a gender-neutral democracy.

The nexus of family courts/judges, family lawyers, bar associations and money is driving this unconstitutional discrimination. It would be a shame if this Court ignores this petition.

CONCLUSION

Given numerous conflicts of interest, the issue has never been before this Court or before other Circuit Courts. Given the enormity of impact and sheer number of families and children adversely impacted, the Court should grant the petition for rehearing and grant the petition for a writ of certiorari.

Respectfully submitted,
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CERTIFICATE OF GOOD FAITH

The undersigned hereby certifies that this Petition for Rehearing is restricted to the grounds specified in Rule 44.2 of the Rules of the Supreme Court and is presented in good faith and not for delay.

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