

Speaker 1: Hello? Can you hear me, sir?

Speaker 3: Yes, I can, sir.

Speaker 1: I can hear you. I cannot see you. Are you able to turn on your camera? Yes, sir. Give me one second, okay? Thank you.

Speaker 0: It says that I have the video running, but let me see why it's not...

Speaker 3: I'm going to try to stop the video and start it again. I'm sorry, sir. It's still not coming through on the video.

Speaker 2: Should I try getting out of the meeting and back in the meeting?

Speaker 1: No, we'll just muddle through. We're not going to be here very long.

Speaker 2: Oh, okay. Yes, sir.

Speaker 3: I was actually hoping to get the video working, because I wanted to just show you...

Speaker 2: I don't tear up a lot of this nest that I find myself in.

Speaker 1: Well, we're not going to be doing much today, sir, because we need to, before anybody addresses the issues arising from this case, we have to make arrangements to get you here with the arrangements that have to be made. We are in the Superior Court Burlington vicinage on April 6, 2022, proceeding in person with the defendant on Zoom, Judge James Morley presiding with probation officer Sydney Winters, and court clerk Beth Chilcote. This is Lisa Hahn versus Glen Hahn, FV031946 of 22. Counsel may have your appearance, please. Good morning, Your Honor.

Speaker 3: I'm Lisa Hahn.

Speaker 0: Okay. Thank you.

Speaker 1: Mr. Hahn, I need to give you some information about the nature of this proceeding and the potential consequences. This is a civil domestic violence case. It is not a criminal case. If there were any criminal charges filed in connection with this case, they will be dealt with in a different court at a different time, and nothing that happens in this case will have any effect on those other charges. Each party is entitled to be represented by an attorney. No attorney can be appointed for you. If you are found to have committed an act of domestic violence and a final restraining order is entered, it will remain in effect until further order of the court. You will be unable to have any contact with the plaintiff, including not being able to go to where she lives or works. You will be fingerprinted, photographed, and listed in the New Jersey Domestic Violence Registry. You will be fined between \$50 and \$500. You will be prevented from possessing any weapon, weapons identification card, or purchaser's permit for a weapon. You could be

required to attend and complete a batterer's intervention program, a substance abuse evaluation, or a psychological evaluation. A finding against you could affect child custody and parenting time decisions. The court could order a risk assessment to determine what restrictions, if any, might be appropriate for your parenting time. You could be ordered to pay various financial relief to the plaintiff, including attorney's fees, and your ability to obtain some professional licenses of certain jobs could be adversely affected. Do you have any questions, sir, about what I just told you?

Speaker 2: No, sir. I understand. We've been down this pathway before with Ms.

Speaker 3: Flax, but yes, I understand the ramifications. If I were to violate some sort of issue with this TRO or the business of this TRO has been...

Speaker 1: Sir, I only asked you if you had any questions as to what I told you. Yes, sir. Do you intend to get an attorney to represent you?

Speaker 2: No, sir.

Speaker 3: I cannot afford an attorney at this time, sir. No, sir.

Speaker 1: All right. Now, because for a number of reasons, including the fact that Mr. Hahn is not able to be with us today because we need to make some arrangements to make accommodations for him, and that's the chief reason, but in any event, we are not in a position to proceed today in any substantive way. This is going to return on April the 27th at 1.30 p.m. with Judge Ambrose. Is there anything, Ms. Berger, that you wanted me to address today?

Speaker 0: No, Your Honor. I'm just going to make sure everyone's going to be present. I just want to be clear that Mr. Hahn is here two weeks ago, so I know the alleged accommodations that were required for that.

Speaker 1: Okay. Well, that is the main reason why we're not proceeding today, and the court staff is working with Mr. Hahn to make sure that those arrangements are made, and this is three weeks away, so we should be able to button everything up by then. Mr. Hahn, do you have anything that needs to be addressed today?

Speaker 2: Yes, yes, and it will take me less than two minutes to do that, Your Honor.

Speaker 1: Okay.

Speaker 3: I was supposed to see my son, Max, this weekend.

Speaker 1: I would still like to see Max this weekend, Your Honor.

Speaker 2: I know that because of severity, but if you can just list these for two seconds, Your Honor?

Speaker 1: Yes. Go ahead. You still there? Yes, I'm playing just audio files. I can't hear what you're playing, sir. Just tell me what you want to tell me.

Speaker 3: Okay.

Speaker 2: This is a sound file that I had with the Realtor agent, where he gave me permission to stay in the house.

Speaker 1: Sir, we are not addressing the issues of the complaint.

Speaker 2: Okay, we still have seen my son this weekend, Your Honor, because I will be fighting this complaint. There's a lot of issues in this complaint, and there's really no reason to put my son, Max Hahn, in a position where, once again,

Speaker 3: he can't

Speaker 2: see me for a period

Speaker 3: of time, but he really wants to see me this weekend, Your Honor, and

Speaker 2: if he wants to, he can

Speaker 3: go out of the house, he can walk

Speaker 2: all the way down to the end

Speaker 0: of the street.

Speaker 2: I'd be more than happy to pick him up, Your Honor, but I am fighting each and every one of these charges, Your Honor, and I ask the Court to continue to at least allow me to see my son this weekend, like I am scheduled to see.

Speaker 1: Hold on a second.

Speaker 3: I'm asking for some lenience, Your Honor, based on the fact that my son is sixteen and a half years old.

Speaker 2: He can legally have sex in the state of New Jersey, Your Honor.

Speaker 1: Sir, you don't have to tell me what his rights are or aren't.

Speaker 2: I apologize, Your Honor. I'm just a little bit passionate about the situation, and I'm passionate about, once again, the nature of these charges that are being brought up.

Speaker 1: Ms. Berger, on the issue of parenting time?

Speaker 0: Your Honor, I'm sorry, Judge. I'm going to object to any parenting time. The only child at this class, quite frankly, hasn't had

nearly sole custody of these children since 2018. The only child he sees is Max, and that's every other weekend for one day. There's something severely wrong going on here in mental issues. The things that he's doing,

Speaker 2: he was actually just told by

Speaker 0: Judge Ambers

Speaker 1: just a couple

Speaker 3: of weeks ago.

Speaker 0: He's gone to a whole new level, now making threats and what have you. There's something psychologically going on here. We've already tried everything in the past. Supervised parenting time. We've had drug evaluations. He's admitted on the record to Judge Beavers. He's on Oxys and morphine. At this point, we need to wait until the hearing to figure out what's going to happen here because we can't put this child in the risk of what's going on here. There's some deep psychological issues going on. Just the allegations alone are him threatening, making threats against Ms.

Speaker 1: Flax. And that's just some

Speaker 3: of the history

Speaker 0: of this case. Threatening, scorched earth, which is basically a battle thing. I don't want to get into the merits of everything that went into this case, but Ms. Flax is suffering from cancer right now. And the fact that she's sitting here right now, just undergoing surgery and is undergoing treatment right now, the threats he's made, there's a long history of what's going on here. I don't want to go through all of it right now for this court, but there is a danger to this child until we address his underlying mental health issues, which are abundantly clear.

Speaker 1: Mr. Hahn, aside from in-person contact with your son, do you have the means to have a telephone or Skype or FaceTime with him?

Speaker 2: No, actually I really do not, Your Honor. And I rarely even have any communication with him while he's with Ms. Flax. Once again, Your Honor, she is alluding to all these things that just do not exist.

Speaker 1: Well, you will have an opportunity to address the allegations and test their veracity. Let me ask Ms. Berger, what does either the judgment of divorce or any post-judgment order say about parenting time, aside from in-person custodial parenting time? Does it say anything? It does nothing, but Ms.

Speaker 0: Flax did not object. She didn't object to him texting back and forth with Max because that's usually their form of communication. She did not object to that. It's the in-person stuff right now, mentally, where he is. He is all over the place. Based on Judge

Ambrose's order and what he just did, there are two court orders that just happened, and then he did this right afterwards.

Speaker 1: Hold on. Hold on.

Speaker 3: Mr.

Speaker 1: Hahn, just hold on. I'm in control of the flow of information here.

Speaker 2: I apologize, Your Honor. Like I said, it's obvious, and I'm just frustrated with the judge.

Speaker 1: Mr. Hahn, please just answer my questions or speak when I acknowledge it. Mr. Hahn, do you have the ability to communicate with your son by telephone?

Speaker 2: The only time that I communicate with my son -- My question is, do you have --.

Speaker 3: Yes, I do have a telephone. He has a telephone of his own? Yes. I believe, yes.

Speaker 1: Yes, he does. Okay. Are you able to text with him via that telephone?

Speaker 2: I do occasionally text with him, Your Honor, but there's a reason why I do not text with him on a regular basis, and it's abundantly clear because Ms.

Speaker 3: Black reads his text messages all the time.

Speaker 2: So Max himself

Speaker 3: admits

Speaker 0: that he doesn't like me to text

Speaker 3: him because

Speaker 1: he's afraid to watch

Speaker 3: his mother by reading the text messages, Your Honor.

Speaker 1: And that comes from Max. It does not come from me. Are you able, sir, to have FaceTime with him via that telephone?

Speaker 2: No, I'm sorry, Your Honor. I do not currently own a FaceTime type of device. I use a hand for his phone.

Speaker 1: Are you able to communicate with him via -- from a PC to his telephone? No. Excuse me. Excuse me.

Speaker 3: No, Your Honor. Why not?

Speaker 1: No, Your Honor. Why not?

Speaker 2: Because the PC that I'm working with right now, I can't even get the video to turn on, Your Honor.

Speaker 3: It's not exactly

Speaker 2: a top-of-the-line PC that I use, so

Speaker 0: I apologize for that, Your Honor. Video. He's literally an IT supervisor who does artificial intelligence, and he has -- Your Honor.

Speaker 3: Sorry. Sorry, Your Honor. But, you know, I've been on disability for two years now. While she keeps claiming that, Your Honor, I have my Social Security records proving that I am actually out of disability. She keeps claiming that I'm working at some job at some company somewhere, Your Honor.

Speaker 2: And once again, Your Honor, it's just simply not true. This is what I've been dealing with with her, Your Honor.

Speaker 3: His TRO gains are very frustrating. I have a doctor's note here that says here, due to the various chronic conditions, he will require some accommodations. He will not be able to sit or stand for extended period of time.

Speaker 1: Okay, sir. Sir, sir, sir, sir, that has nothing to do with the issue of parenting time.

Speaker 3: I know that, but I've got to say, but she keeps throwing out the fact that I'm some sort of IT supervisor that can do all this stuff. I'm on disability. I don't make an income. I'm on Social Security disability. Even on the TRO, she filed something that I'm working at some job at some place, and it's not true. I have the records to prove it.

Speaker 1: Okay, sir, this is what I'm going to do. I just asked if I could please see my son. I didn't see him the last two weeks ago because he was sick.

Speaker 2: We were going to try to trade in weeks because it was Mrs.

Speaker 3: Flats' idea to trade a week. I did

Speaker 1: ask in those notes if I could pick him up that Friday instead

Speaker 3: of that Saturday, and all of a sudden, all of a sudden, that was so

Speaker 1: horrendous

Speaker 2: to her that she said,

Speaker 1: "No, I'm not switching weeks." Sir, the allegations in the complaint, and I know you take the position that they are not true, are highly concerning, and if true, would suggest some psychological, if not psychiatric, imbalance. I mean, I would agree with that. Okay, I didn't ask you to respond.

Speaker 3: I'm sorry.

Speaker 2: I have a feeling it would be difficult, Your Honor.

Speaker 1: Under those circumstances, the court has to be extremely cautious with the best interests of the child. I don't know if this is true. I have to be cautious. There are other mediums besides personal contact that are available to a parent in this digital age. The child has his own smartphone, ma'am? Yes, she's nodding. The child has his own smartphone. The defendant has the ability, should he choose to exploit the ability, to communicate with that child by text message or email or by some visual app. The defendant has that capability. The order will provide that he is entitled to take advantage of that capability of communicating in any fashion via smartphone, and that the plaintiff shall not in any way interfere with or intrude into or supervise those communications. That means, ma'am, that you don't read anything that goes back and forth between Mr. Hahn and your son. The matter will come back three weeks from today on the 27th in the afternoon with Judge Ambrose. Anything else today, Ms. Berger? Mr. Hahn, anything else today? Yeah, one small request, Your Honor.

Speaker 2: There was some part of the request, whether it was some piece of jewelry or a launch or something, that was put into a bag of fecal for the cats.

Speaker 3: Your Honor, that bag came from a time capsule that was buried in the backyard of that house.

Speaker 1: Sir, can I ask one question?

Speaker 3: One question, Your Honor. I

Speaker 2: ask permission

Speaker 3: that

Speaker 1: the Matlock Police Department

Speaker 2: arrange with me to go onto that property so we can take photographic

Speaker 3: evidence of the time capsule that was buried

Speaker 2: in the backyard because it's very

Speaker 3: apparent, Your Honor, that

Speaker 2: there's no "fecal material" in that bag

Speaker 3: or anything else that was placed in that bag.

Speaker 1: And that's also part of this complaint that I did some extraordinary thing there.

Speaker 2: I did not. So I'm asking

Speaker 1: a request

Speaker 2: that I be allowed

Speaker 0: with the Matlock Police Department

Speaker 2: to gain access to the backyard of that property so we

Speaker 3: can take photographic

Speaker 1: evidence of where

Speaker 3: the time capsule was buried

Speaker 2: and there were other items that were still in the ground from the time capsule and that that bag with the flu is not being interfered with in

Speaker 3: any way in this

Speaker 2: action, Your Honor,

Speaker 3: until

Speaker 2: we have this in-person thing where I'll be more than happy to drink the water, Your Honor, if I need to. I have been and it's been alleged that I did one of these activities and I did not, Your Honor, and that's the only way I think I can prove myself that I did not.

Speaker 3: I have no other way of proving myself that that bag came from the time capsule in the backyard as opposed to something that was made up once again by them that I did some sort of extraordinary, weird, bonding thing to do that.

Speaker 1: Ms. Berger?

Speaker 0: Your Honor, the Matlock Police have already been there. There's an order in effect that's supposed to be sold.

Speaker 3: Law enforcement were to get involved if necessary to remove him from the house.

Speaker 2: The damage he did to this house, this house is supposed to go up for closing just in a couple of weeks.

Speaker 0: so they've been cleaning the house out after the damage done in the house, including the fecal matter. So I'm going to ask that he continue to be barred because Judge Ambers already told him he's not to go to the property and the damage was already done. My client's trying to clean up so the house can be sold, which is what's supposed to happen and was supposed to happen a while ago. So I continue to be barred?

Speaker 1: Never mind.

Speaker 3: Your Honor, they would love for me to be barred there because, once again, I have evidence to prove that I was not involved in the situation. In regards to the damages that were done to the house, that's what might hurt.

Speaker 1: Hold on a second, sir. What is it that's in the backyard that you need a picture of? You say something was dug up? Yes, that is correct.

Speaker 2: Something was dug up in the backyard. Part of the container is still located in the ground of the backyard.

Speaker 3: There are other items that are left dug into the backyard that will show the same damage that I contained.

Speaker 2: Your Honor, I could have simply just taken the bag and had someone deliver it to me.

Speaker 3: I did not. I left it there in case she wondered that stuff. I haven't been living in that house, Your Honor, for weeks. Matter of fact, I found out that the damage that she's claiming that I did, and I know the individual actually did the damage, Your Honor, and they are being dealt with severely and will pay Mrs. Flack restitution on this.

Speaker 1: I have no issues or arguments with that, but part of the damage that they're claiming that I supposedly did was upstairs. Your Honor, I can't walk steps. Mr. Hunt, you're getting too deep into the weeds on this. Sir, please. Does Ms. Flack have any knowledge about what he's talking about in the backyard?

Speaker 0: Absolutely not. She has no idea. And quite frankly, Judge, his claims make no sense. The neighbor just saw her moving the stuff out. So I don't want to get into the weeds of the history of this case because it is so... Literally, we've been back here so many times on post-judgment for issues. The jewelry he's referring to are actually things that were ordered by the court to be provided a long time ago, but they were in the back.

Speaker 1: Excuse me. Excuse me. There is no... It is a violence case. It is a summary proceeding. If, Mr. Hunt, if you believe that there is something that's now on the property and that it is not available to you, excuse me, or that something has been tampered with or something has been changed, you can make an exfoliation argument to Judge Ambrose. But this sounds extremely... It's a little different, and I think it's a little bit far-fetched.

Speaker 2: I... Sir, sir.

Speaker 1: No, not right this second.

Speaker 2: Okay, I apologize.

Speaker 1: So that I'm not going to order that you be permitted back on the property. I think it's too far-fetched for me to carve out an exception to your being prohibited to go on the property. Anything else, sir, before...

Speaker 2: Can I send another individual in my place, then, to do it?

Speaker 3: You're welcome.

Speaker 1: I don't think so, sir.

Speaker 2: I...

Speaker 1: I think this is too... This is... Number one, there's no discovery in this case. I think this is too far-fetched. Certainly, at this point, if anything was there, it's probably not there anymore.

Speaker 2: I still do not, Your Honor.

Speaker 1: All right. It's denied. For the reasons I stated, it's denied. Okay?

Speaker 2: I thank you, Your Honor.

Speaker 1: All right, thank you. Judge Ambrose, we've been looking for you on the 27th.

Speaker 0: Thank you, Your Honor.