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Accused shooter is familiar to courts

Howie Padilla, Curt Brown and Paul Gustafson, Star Tribune

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For Susan Berkovitz, Monday's scheduled court appearance was just the latest in a history of litigation in which she had developed a reputation for erratic behavior and filing frivolous documents.

In May last year, a Ramsey County court reporter complained that Berkovitz had become "extremely harassing and offensive" in phone messages left to complain about the accuracy of a court transcript.

Four months later, in a hearing before Ramsey Country District Judge Margaret Marrinan, a deputy sheriff felt the need to move closer to Berkovitz because of her increasingly excitable tone "and out of concern for the judge and other court staff."

Last January, in a Hennepin County District Court hearing on her lawsuit against Richard Hendrickson and Shelley Joseph-Kordell, Judge H. Peter Albrecht said he didn't understand what the suit was about and openly questioned Berkovitz's mental state.

"The problem is I cannot make heads or tails of what your claim is," Albrecht told Berkovitz. "I'm dismissing your cause of action in this court."

When asked by Hendrickson to sanction her, Albrecht said: "I'm finding that from what little I can tell, she is not of sound mind. . . . It just seems she has no idea what she is doing or what is happening here."

Monday's hearing was scheduled this month after Berkovitz was initially denied restraining orders against Joseph-Kordell and Hendrickson. In court documents, Berkovitz accused the two of harassing her and in some cases physically threatening her to collect fees from when Joseph-Kordell was conservator of her father's estate.

Among Berkovitz's claims in previous documents was that Joseph-Kordell and Hendrickson had misappropriated \$190,000 from Hyman Berkovitz's estate.

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"Mr. Hendrickson has repeatedly called my home, leaving unprofessional voicemails threatening to come to my job and confront me," Berkovitz wrote in her restraining order requests. Later, Berkovitz wrote that Hendrickson "advanced on me with his fist balled up, in order to intimidate me and imply he would physically harm me."

Monday's shootings took place before Hendrickson and Joseph-Kordell could rebut Berkovitz's accusations.

Court documents tell the tale of a power struggle between Berkovitz and the rest of her family over who should be the conservator of her father's estate.

In January 2001, Berkovitz was recommending that either Joseph-Kordell or Lutheran Social Service be appointed to the post instead of Berkovitz's sister, Sherilee Feldman.

Before a conservator for her father was appointed, however, Berkovitz's mother, Anna, had sought and received an order to protect herself from her daughter. Berkovitz then asked the court to make her the conservator.

In hearings on the matter, Joseph-Kordell asked that, if appointed conservator, she be allowed to limit Berkovitz's contact with her father, saying she feared for his safety.

After Joseph-Kordell, Berkovitz's cousin, was appointed conservator in July 2001, relations between Susan Berkovitz on one side and Joseph-Kordell and Berkovitz's other relatives on the other deteriorated further.

"Susan's behavior can be very intimidating," her mother, Anna, said in a 2000 affidavit.

Her daughter would yell at people to shut up if they talked while she was watching television, and she threatened to take everyone in the family to court, it said.

"Every one of her charges and accusations were completely false," Susan's brother, Robert Berkovitz, said in a 2000 letter to authorities after Berkovitz requested a restraining order against him. "She has a long history of taking people to court on various unsubstantiated charges.

"She even severely complained to the Red Cross about the way they were handling blood donations, to the point that she received a letter from the Red Cross for her not to donate again," her brother's letter said.

"I believed my sister to have serious behavior and mental problems and that she needed to seek some psychiatric help," Robert wrote.

As a result of the number of frivolous documents filed in Ramsey County, an order signed May 14, 2003, by Gregg Johnson, Ramsey County assistant chief judge, said any documents Susan Berkovitz was intending to file in court had to be sent directly to him for approval.

Also, if she needed to contact any probate court officials or any court staff,

they were to inform him and she was to tell him the reasons she needed to contact them, the order said.

Hennepin County officials were considering a similar measure, court officials said.

Ramsey County Sheriff Bob Fletcher said his deputies are familiar with Berkovitz, noting that they have served her with legal papers in the past. He said all of those documents and information would be forwarded to Hennepin County authorities.

He also suggested that Hennepin and Ramsey counties would have to start sharing information on mentally disturbed people or potentially violent people who are conducting business in county offices.

"Long term, Ramsey and Hennepin are going to look at sharing intelligence about people that are troubled," he said.

Some who have dealt with Berkovitz said Monday that despite her erratic and litigious nature, there were no warnings of the level of violence she is now accused of.

"She is one of those people who can be excitable. But when you pulled [her] back, she followed directions," Judge Marrinan said Monday in an interview. "I would not have predicted violence."

"I understand that she could be real engaging, very intelligent any time you could get her off the topic of her father," the judge said.

Frederick Kopplin, a Minneapolis attorney who represented Anna Berkovitz when she sought a restraining order against her daughter in 2000, said he had talked to Hendrickson about Susan Berkovitz.

Until Monday, Kopplin said, he never knew of an instance when Berkovitz had become violent.

"Everything was verbal or written and was often incoherent," he said. "But there had never been any physical violence."

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