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Testimony of Edith McClure, Member, Executive Committee,
Family Law Section of the Connecticut Bar Association
House Bill 5600
**An Act Concerning Parenting Time and Parental Responsibility with
Respect to the Custody of a Minor Child**
Judiciary Committee
March 10, 2006

Senator McDonald, Representative Lawler and members of the Judiciary Committee, thank you for the opportunity to appear before the Committee to comment on House Bill 5600, an Act Concerning Parenting Time and Parental Responsibility with Respect to the Custody of a Minor Child.

My name is Edith McClure. I am a member of the Executive Committee of the Family Law Section of the Connecticut Bar Association and a Fellow in the American Academy of Matrimonial Lawyers. My practice, for over 25 years, has been concentrated in the area of family law.

The Connecticut Bar Association Family Law Section which consists of over 700 members, has a great interest in bills affecting family law procedures and issues concerning dissolution of marriage. On behalf of this Section, I respectfully request that the Judiciary Committee not act on House Bill 5600.

Just last year the Legislature passed Public Act 05-258 which created sweeping changes in the way that custody matters are handled. Not only did this law change the term "custody" to "parental responsibility," but it also requires the filing of detailed parenting plans and provides 16 specific criteria which the court may consider in determining what is in the best interest of the child. Further, Public Act 05-258 added new language requiring the court in making orders to provide for residential arrangements with each parent in accordance with the needs of the child and the parents.

Public Act 05-258 took affect only last October. It will take time for all of the provisions of this act to settle in. All of us, lawyers, judges and people in the divorce process, need time to adjust to the 2005 Act. Additional revisions at this time would be confusing.

House Bill 5600 states that there shall be no presumption that awarding substantially disproportionate parenting time and parental responsibility to one parent is in the best interest of the child. Under existing law there is a presumption that joint custody is in the best interests of the children where the parents have agreed to joint custody. There is, however, no presumption regarding the time spent with each parent. Consequently, there is no need for House Bill 5600.

Thank you for allowing me the opportunity to comment on House Bill 5600. The CBA Family Law Section respectfully requests that the Judiciary Committee **reject** the bill.

I would be glad to answer any questions you may have.