



Greater Hartford Legal Aid, Inc.

HB 6068 - Fault as a Factor in Alimony and Property Distribution Orders in Divorce Cases

Judicial Committee Public Hearing - February 28, 2007
Testimony of Atty. Shirley M. Pripstein

Recommended Committee Action: **REJECT THE BILL**

This bill would *remove* fault as a factor in alimony and property distribution awards in divorce cases. Removal of fault as a factor to be considered is not advisable for the following reasons:

- A majority of the population believe that fault should be considered in alimony and property distribution. Most believe that fault carries more weight than it does, and should carry more weight than it does.
- When a relationship is dissolving, one or both parties may be angry and have a desire to hurt back. Attorneys now advise clients that it is in their financial interests to use discretion and act reasonably. Removal of fault as a factor would remove the financial incentive to act appropriately.
- The types of fault we commonly see in divorce cases are as follows:
 - Adultery
 - Alcoholism
 - Drug addiction
 - Excessive gambling
 - Crimes of fraud or theft on third persons
 - Physical or sexual abuse of spouse or child
 - Excessive spending and incurring of credit card debt

As a matter of public policy, such bad behavior should have a price.

Respectively submitted


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