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Testimony of Edith McClure, Member, Executive Committee,  
Family Law Section of the Connecticut Bar Association  
**House Bill 6286**  
**An Act Concerning Parenting Time and Parental Responsibility with**  
**Respect to the Custody of a Minor Child**  
Judiciary Committee  
February 26, 2007

Senator McDonald, Representative Lawlor and members of the Judiciary Committee, thank you for the opportunity to appear before the Committee to comment on House Bill 6286, 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 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 6826.

House Bill 6286 states that there shall be no presumption that awarding substantially disproportionate parenting time and parental responsibility to one parent is in the best interests of the minor 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 6826.

Two years ago, the General Assembly passed Public Act 05-258 which, among other things, amended Connecticut General Statutes Section 46b-56 to create 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. Making additional changes to the custody statutes at this time would be premature, particularly when family law practitioners, judges and family relations personnel are still analyzing the results of those changes and have not had sufficient time to determine their effectiveness in custody proceedings.

Thank you for allowing me the opportunity to comment on House Bill 6826. 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.