

Dear State Judiciary Committee:

My name is Peter Szymonik and I live in Manchester, Connecticut.

I come from a very hard working Polish immigrant family. My parents and grandparents came to this country having lived and suffered through the horrors of the Second World War, the Nazis and Communism.

I was raised in an environment where family was everything and divorce was unheard of. Every member of a family, including and especially grandparents – were integral parts of the children's lives and their upbringing on a daily basis.

I have been a resident of the state for most of my adult life. I graduated from the University of Connecticut and have enjoyed a very successful career as a legal technology expert and business operations executive and consultant.

At the end of 2006, my ex-wife and I started a tortuous divorce that was not concluded until April of 2008 and at a total cost of well over \$140,000 in attorney's fees.

One of the primary reasons that the divorce took so long to resolve, was because of unscrupulous and unethical attorneys who actively worked to prolong the divorce as long as possible, primarily by clogging the Family Court is and endless series of motions designed to harass and promote confrontation between myself and my ex-wife.

This included a well known "family law attorney" who advised my former wife to buy a listening device from a spy catalog he provided to her, showing her how to strap it into her bra and then advising her to get into a fight with me so she might call and file a police report of spousal abuse against me.

This included another well known "family law attorney" who knowingly manufactured and also withheld evidence from the Court in a campaign of financial harassment and terrorism against me. This attorney knew that I was nearing bankruptcy due to my having been involved in a tortuous and very costly two-year long employment related litigation case.

Yet this attorney used completely falsified evidence against me to convince a judge to freeze all of my few remaining assets, just as my home was in the process of being foreclosed. These freezing of my assets lasted almost two months due to the Court's delays and unwillingness to properly review the financial condition. It caused all of my credit cards to go into default and caused extreme damage to my credit ratings - which I am still recovering from to this day.

The purpose of my relaying this information to you will become obvious as I continue.

The divorce was final on April 31, 2008. After months of harassment and financial ruin by attorneys such as the above, I was left with no option but to sign a Divorce Agreement that would at last offer some closure and peace from my family.

As part of this agreement, there was a Parenting Agreement which my ex-wife and I had entered into in October 2007 as part of a Court sponsored Early Intervention Program. The EIP program concluded after a daylong session with neutral attorneys and therapist assigned to our case, that joint physical custody of our two wonderful little boys, Adam, now 4 and Jason, now 7, was in their bests and in the best interests of the parents to provide peace to our family.

My two sons enjoyed and thrived under the joint parenting agreement from October 2007 until September 2008. My ex-wife and I shared custody, I was allowed to be an equal parent and father for my children, and the grandparents continued to play almost daily and very important roles in these two little boy's lives.

Then during the first week of September, a nightmare started. A nightmare which continues to this day – seven full months later.

My ex-wife changed her mind. On a late Friday afternoon, she ran into Court with an Ex Parte motion seeking full custody of my boys. This Ex Parte motion contained allegations against me and the children's grandparents that were completely unsupported with any documented or factual dates, times, witnesses or any third party verification or reports of any kind – including no findings or evidence from the Department of Children and Families, which was investigating the situation at the time. Any one of you sitting in this room could have run into the Court with your set of similar allegations, not knowing me or who I am.

Inexplicably, the Court granted the motion and set in motion what can only be described as a monumental emotional, personal and financial disaster for my family and my two small boys – and monumental waste of court time and taxpayer dollars.

Again, without any substantiated evidence of any kind of abuse of my children, the Court assigned a Guardian Ad Litem to our case, an alleged ward for my children and himself a mandated reporter.

The GAL's behaviors and role in our situation can only be described as itself abusive against my children, incendiary, and yet another massive and complete waste of tens of thousands of dollars, for no purpose and to no end.

Over the course of his alleged representation of "the best interests of my children", the GAL in my case has managed to bill over \$22,000 in legal fees. \$22,000 just to date.

In this time,

The GAL assigned to our case and children caused the first of many horrendous and damaging hearing delays by not becoming engaged in the case until weeks after he had been assigned by the court. He then sought a continuance which caused the first of many one month delays in my receiving a proper and timely hearing.

The GAL and to date, has only met with my children – his wards – once in seven months time and not once since the start of this year.

The GAL has never met individually with me or my attorney to discuss and review his findings or to ask me any questions of any kind regarding his alleged independent investigation.

The Gal has continually failed in his mission to act as a ward and in the best interests of my children. He has instead and from the very start forced his own personal beliefs and perspectives and attempted to act as a marriage counselor for a divorce that had already been dealt with and concluded at substantial cost. The judge himself has asked the GAL "why do you believe these people need to get along in order to be good parents?"

The GAL openly threatened and harassed me by telling me that he would guarantee that I would never enjoy joint physical custody of my sons or be an equal parent or father for them again, or even lose my parental rights if I didn't agree with his viewpoints and perspectives on the case. He demanded that I simply "find peace with the situation" as weeks had gone by and I not seen my sons at all.

A horrendous condition was created where my two little boys were forbidden from even seeing their grandparents from early September until the Christmas holiday – a period of four months. The situation was so bad that the children started to believe that their grandparents "had died."

The GAL was fully aware of this condition and did absolutely nothing about it.

Instead, he advised that "collateral damage was typical and normal in custody cases" and that my 74-year old mother and a 77-year old grandfather battling cancer – people who were very seriously afraid they would die any never see their grandchildren again – show "seek the help of a mental service professionals if they were having a hard time with the situation."

This is the level of compassion that this GAL showed my family and the concern he expressed for my children.

The Court attempted to order several different visitation schedules designed to allow me to see my sons. The GAL was charged with overseeing these visitations, yet allowed them to be constantly changed, cancelled and denied by my former wife and her vicious attorney. As a result, my sons lost and missed over 21 court mandated visitations with me from last October through the holidays.

Once again, the GAL did absolutely nothing to address this situation for his wards.

During one particular hearing, the judge specifically ordered the GAL to work over the Christmas and New Year's holiday to develop a new visitation schedule that would allow me more time with my children. Instead, the GAL did absolutely nothing. At the next hearing he lied to the Court by telling the judge that "no progress had been made in developing a new visitation schedule" when the reality was that the GAL was completely AWOL and did not work on it at all.

The GAL, as a mandated reporter, has watched and ignored several documented instances of actual neglect and abuse against my sons. This includes physical, verbal and emotional abuse. This includes videotape, recordings and documented evidence presented to him.

Again, the GAL has done nothing to protect my children and not reported any of these events to DCF as he is mandated to do by law.

This abuse and neglect includes documented evidence that my oldest son has missed school over 20 days since the Ex Parte motion was filed – which clearly falls under DCF's definition of educational abuse.

Once again, presented with this documentation – including a letter written directly to him by the school's principal, the GAL has done nothing.

The GAL in our case has managed to bill over \$22,000 in his own legal fees over the course of the past seven months. \$22,000. This after he personally promised me last October that he would "return as much of the \$3,000 deposit I gave him as he could" knowing my financial condition and the fact that I was once again now facing a fifth attorney that was using financial harassment and terrorism against me as legal tactic.

The GAL has utterly failed to work to quickly find a way to find a solution that would be in the best interests of my children and to end the disaster of the Ex Parte motion. This is in spite of now substantial evidence and testimony that the motion was based on a lie to Court. And yet the GAL continues to posture that a return to joint physical custody is not warranted.

On top of this, and again – without any evidence of abuse against my children of any kind, the GAL influenced the Court and asked the judge to order extremely expensive psychological and other testing on myself, my ex-wife and the children. This testing has cost at least another \$10,000 on top of the GAL's \$22,000 fee. \$32,000. This does not even include the legal fees associated with this case.

At each hearing, the GAL arrogantly places his invoices directly in front of me right before the start of every hearing – again intimidated and harassing me. The GAL has been made fully aware of my complaints against him and in fact, my presentation here this morning. His response is one of pure arrogance stating to me: "Great, you're going to testify and what will happen."

His testimony on the stand was full of inaccuracies, he was not aware of key dates, timelines or events and often came off as rambling with his own personal viewpoints and beliefs – not anything related to our case at all.

The GAL repeatedly has stated his own bias against single fathers by constantly stating that he does not believe joint physical custody should be restored without any validation or third party evidence showing that is correct, and with substantial documentation from the therapists and overwhelming evidence that the children are at their best when they had equal time with both of their parents.

At one point the judge himself asked the GAL, if the Ex Parte motion is vacated, why do you still not believe that the father should enjoy equal custody of his children?

To further harass and threaten me, the GAL has misrepresented to the Court that I am "an angry man who needs therapy", utterly failing to recognize and appreciate that my anger and frustration are solely

directed at him as ignores my children's condition, destroys me and my family financially and turns a blind eye to the complete and total devastation the lingering case is having my family – a condition with the GAL has actively sought to perpetuate for his own financial benefit and that of his friends.

At the same time and in an example of the ultimate hypocrisy, the GAL has filed motions asking the Court that I cash out and terminate life insurance policies for my children to pay his fees. He also threatened to do the same asking the judge force the sale of my car and even my home to pay for his fees.

In summary,

All of three of the attorneys I mentioned operate as GALs and special masters for the Court in cases where children are involved and caught in the middle, in spite of their open practice of highly confrontational and disastrous divorce law.

GALs are not held responsible or accountable for their behaviors and actions to anyone.

A critical review and selection process that determined whether or not an attorney is qualified to be a GAL is practically non-existent.

They can not be sued and there is no one to complain to when they behave in an unethical and threatening manner.

And yet these are the people assigned to represent the best interests of children, when they fail to do so.

Attorneys who are GALs have absolutely no medical background, experience or training in child psychology, therapy, or marriage counseling – and yet they assume roles in which they believe they can perform all three.

There is also a very strong pattern of patronage that exists within attorneys who work as Special Masters or as GAL system due to its nature.

A GAL may face an attorney representing a client in one courtroom, and the roles may be reversed in the next courtroom – yet we are made to believe that there is no undue influence or relationship between the two to perpetuate cases for their own financial benefit.

In essence, GALs are allowed to print money for themselves and the medical professionals they decide to refer cases to for court mandated testing – without any kind of oversight, accountability or checks and balances to ensure that what the GALs do are truly appropriate, warranted or in the best interests of children and families struggling through divorce and custody cases.

In my opinion, no attorney that practices divorce law in our state should ever be allowed to assume the role of a GAL in our court system and it represents a massive conflict of interest.