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Testimony of Shirley M. Pripstein,
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Senate Bill 1093, An Act Concerning the Continuation of Child Support Obligations After the
Termination of Parental Rights Due to Abuse or Neglect of the Child
Judiciary Committee
March 30, 2011

Senator Coleman, Representative Fox, and members of the Judiciary Committee thank you for the opportunity to appear and comment on Senate Bill 1093, An Act Concerning the Continuation of Child Support Obligations After the Termination of Parental Rights Due to Abuse or Neglect of the Child. The Family Law Section of the CBA consists of over 800 members who have a great interest in bills affecting the practice of family law. The Family Law Section opposes Senate Bill No. 1093, An Act Concerning the Continuation of Child Support Obligations after the Termination of Parental Rights Due to Abuse or Neglect of the Child. We respectfully request the Judiciary Committee to reject this bill.

We understand that the intent of the bill is to provide continued child support to the innocent parent who did not abuse or neglect the child, a worthy goal. However, we are concerned about an unintentional side effect of the bill. Currently, many individuals agree to the termination of their parental rights precisely because termination will relieve them of their child support burden. If termination is not linked to cessation of the child support obligation, these individuals will have no incentive to agree to termination of their parental rights. We anticipate that if this bill is passed there will be many more termination trials at great cost to the Judicial Branch, the Attorney General's office, and DCF. Moreover, it is not clear what percentage of these cases the state would win. We believe that the abused or neglected child, and the child's custodial parent, would be better served by continuing to link termination of parental rights with termination of the obligation to pay child support, which incentivizes termination agreements.

A second caveat is that there may be constitutional problems with the complete severing of the obligations of parenthood from the rights of parenthood.

For the foregoing reasons, the CBA Family Law Section respectfully urges rejection of this bill. I would be happy to answer any questions you may have.