

TESTIMONY IN SUPPORT OF RAISED BILL NO. 5509

Dear Rep. Fox, Sen. Coleman and members of the Judiciary Committee. My name is David Conway. My story is simple. I am a 60-year-old man of moderate means who has been paying alimony for 10 years – 40 percent of my gross income. I now live in Fairfield, CT with my in-laws. We are in the process of selling our home in Milford, CT, because we can no longer afford it. I have been ordered to pay alimony for the rest of my life.

I am here to support Raised Bill No. 5509, which will allow me the right to retire when I reach the age at which the Federal Government recognizes retirement, currently 66 years old.

Payers of lifetime alimony do not have a meaningful right to retire. We cannot plan for retirement. We are subject to return trips to divorce court throughout our lives. Our new families are burdened permanently with this unending obligation.

In my case, my new wife and I are actually considering divorce because she does not want the obligation to support my ex-wife if I am unable to make the payments. And alimony recipients, unlike every other person in society, including welfare recipients, have no obligation ever to become self-sufficient, even when they work full-time.

During the course of my ten-year alimony history, my yearly wages have had some major swings, because of the economic uncertainty and the impact of technology on my profession. Currently I am self-employed after being laid off from a company that moved out of Connecticut in 2009. Another company I worked for went out of business in 2004.

Provisions in my divorce decree require me to pay additional alimony when my earnings swing high, but no provisions to reduce alimony when it dips low. Given the state of the economy and my employability at age 60, it is very likely I will continue to be self-employed with earnings peaks and valleys. So I face the potential for a number of return trips to divorce court over my earnings as I progress throughout my senior years.

I have already had difficulty in court because of my swings in earnings to convince the court to take into account my low earnings years when applying for a modification.

My greatest worry of all is the impact on my second wife and our marriage. I am deeply concerned that my inability to save and the deterioration of the savings we do have, will place even more burden on her financially and potentially require her bear the burden of my alimony payments. We have had serious discussions about getting a divorce simply to spare her from my fate.

The provisions regarding retirement in Raised Bill No. 5509 will help alimony payers across the state who are in my position. Knowing when the payer is going to retire gives recipients many years – sometimes decades – in which to make plans for the future.

Thank you for your consideration.