PUBLIC HEARING TESTIMONY FOR RAISED BILLS 6685 & 1155 – 4/5/2013

I WANT TO FIRST THANK THE COMMITTEE TO ALLOW US ALL TO SPEAK ON RAISED BILLS 6685 AND 1155.

I APOLOGIZE FROM THE START IF YOU HAVE HEARD THIS SAME STORY ALL DAY. UNFORTUANTELY, ALL OF OUR STORIES HAVE A COMMON THREAD. I AM VERY APPRECIATIVE THAT THIS SUBJECT IS GETTING ITS PROPER PUBLIC ATTENTION. HAVING LIVED IT FIRST HAND FOR THE PAST SIX PLUS YEARS, I COMPLETELY UNDERSTAND THAT WE ALL HAVE OUR ISSUES AND LISTENING TO ANOTHER PERSON'S PROBLEM IS NOT ON ANYONES' TOP TEN LIST. I AM HERE TODAY TO BE THE VOICE OF MY CHILDREN WHO HAVE NOT HAD A VOICE IN OUR CURRENT LEGAL SYSTEM. I RECENTLY WROTE THE GUARDIUM AD LITEM (GAL) IN OUR CASE TO UPDATE HER ON THESE PROPOSED BILLS. UNLIKE OTHERS THAT MAY TESTIFY TODAY, I HAD A POSITIVE EXPERIENCE WITH MY LAWYER, GAL AND FAMILY COURT JUDGE. THE ISSUE WAS THAT THEY ALL DID NOT HAVE A SINGLE LAW TO CONTERACT MY EX-WIFE'S DESTRUCTIVE BEHAVIOR. I SIT IN FRONT OF YOU A CONNECTICUT RESIDENT THAT HAS EXHAUSTED OUR CURRENT LEGAL SYSTEM.

TO QUOTE MY GAL FROM FEBRUARY 27, 2013 – "I APPRECIATE YOUR POSITIVE REGARD, ESPECIALLY GIVEN HOW DIFFICULT A TIME YOU HAVE HAD WITH THE COURT PROCESS AND WITH JILL AND THE GIRLS. I FEEL VERY STRONGLY ABOUT PARENTAL ALIENATION SYNDROME (PAS) AND THE

CORROSIVE EFFECTS IT HAS ON FAMILIES, ESPECIALLY THE KIDS. SADLY, YOUR GIRLS WILL HAVE SO MUCH TO OVERCOME BECAUSE OF JILL'S DAMAGING AND DESTRUCTIVE BEHAVIOR."

I WENT TO COURT IN 2011. I THOUGHT IT WOULD BE MORE POWERFUL TO USE THE WORDS OF THE JUDGE THAT RULED IN MY CASE. WELL BEFORE BILLS 6685 AND 1185 WERE A THOUGHT, JUDGE MARK H. TAYLOR WAS ABLE TO DECIPHER THE TRUE ISSUES IN MY CASE. HOWEVER, HE WAS UNABLE TO HELP MY FAMILY AS HE DID NOT HAVE A LAW TO SITE. I WOULD LIKE TO SITE SELECTED QUOTES (THE FULL TRANSCRIPT IS ATTACHED).

I QUOTE, "ALL I'VE HEARD HERE TODAY SUGGESTS THAT YOU, SIR, HAVE DONE EVERYTHING IMAGINABLE TO BRING ABOUT A RECONCILLIATION BETWEEN YOU AND YOUR CHILDREN...THE QUESTION IS ALWAYS HOW TO UNLOCK THIS PROBLEM? THIS IS A COURT OF LAW. I'VE OFTEN COMMENTED THAT IN FAMILY COURT IT SEEMS TO BE AN INTERSECTION BETWEEN SOCIAL SCIENCES SUCH AS PSYCHOLOGY AND SOCIOLOGY AND THE LAW. AND THE QUESTION IS ALWAYS WHERE ARE THE LINES TO BE DRAWN IN EXERCISING JUDICIAL AUTHORITY? I OFTEN REFLECT ON WHETHER OR NOT AT TIMES THE USE OF JUDICIAL AUTHORITY IN WHAT WOULD OTHERWISE BE A PERSONAL MATTER IS HELPFUL OR EFFECTIVE...SOME VERY COMPETENT PSYCHOLOGISTS AND OTHER FAMILY THERAPISTS... HAVE BEEN CONTINUOUSLY INVOLVED IN THIS FAMILY'S LIFE SINCE...2007...I ALSO HAVE THE IMPRESSION THAT MR. REPKA IS UNFORGIVEN... (HOWEVER,) I'M

NOT SURE THE DEGREE TO WHICH THAT AFFECTS JILL'S ABILITY TO PROVIDE AN EXAMPLE TO HER DAUGHTERS AS TO HOW THE INTERACTION IS TO OCCUR. SHE'S THE PERSON THEY LOOK TO UNDERSTAND HOW THE INTERACTION PERHAPS SHOULD BE BETWEEN HER AND THEIR FATHER. AND IT SEEMS THAT IS VERY, VERY DIFFICULT ONE FOR HER TO CONSTRUCTIVELY ENGAGE IN.

...I'M NOW BEING ASKED TO ISSUE ORDERS THAT COULD RESULT IN VERY SERIOUS CONSEQUENCES TO THE INDIVIDUALS INVOLVED. AND THE IDEA HERE IS TO NOT MAKE MATTERS WORSE, BUT TO MAKE MATTERS BETTER. I'M NOT QUITE SURE WHAT TO DO ABOUT THAT. THE LAW CAN'T CHANGE SOMEONE'S HEART. WE TRY TO CHANGE BEHAVIOR, BUT THAT'S BEEN AN ISSUE IN THIS FAMILY FOR MANY YEARS."

I TRULY BELIEVE IN MY CASE IF THERE WERE FINES AND/OR THE THREAT OF JAIL FOR NOT FOLLOWING THE SHARED PARENTING PLAN IN OUR AGREEMENT I WOULD HAVE A RELATIONSHIP WITH MY THREE DAUGHTERS TODAY. ONCE MY EX-SPOUSE REALIZED THAT THERE WAS NOTHING A CONNECTICUT COURT OF LAW WOULD DO TO STOP HER TERRIBLE BEHAVIOR, SHE ACTUALLY TURNED UP THE ALIENATION TO THE POINT I HAVE NOT SEEN AND/OR HEARD FROM ALL OF MY DAUGHTERS IN SIXTEEN MONTHS.

IF THIS BILL IS PUT INTO LAW, I WOULD BE GREATLY APPRECIATIVE AND

WOULD LOOK TO PUT IT IN ACTION FOR ME AS A WAY TO REUNITE WITH MY DAUGHTERS. EVEN THOUGH ALL THAT I HAVE BEEN THROUGH, I STILL REMAIN POSITIVE THAT ONE DAY I WILL NOT ONLY SEE MY GIRLS BUT I WILL ALSO HAVE A RELATIONSHIP WITH EACH OF THEM. MY GAL CONCLUDED HER EMAIL ME TO ME ON THE 27TH OF FEBRUARY WITH THIS – "I HAVE NOT GIVEN UP HOPE THAT YOU WILL HAVE A RELATIONSHIP WITH YOUR GIRLS AGAIN --- HOPEFULLY AS THEY GROW UP THEY WILL REALIZE WHAT A BILL OF GOODS THEY GOT HANDED BY THEIR MOTHER OUT OF HER OWN SELF-INTEREST"

IN THIS DAY OF FAMILY COURT PUBLIC HEARING, I AM ASKING FOR YOUR HELP IN REALIZING MY DREAM OF BEING THE FATHER THAT I KNOW I CAN BE WITH MY GIRLS – PLEASE SUPPORT AND PUT INTO LAW THE RAISED BILLS 6685 AND 1155.

THANK YOU,

STEPHEN J REPKA, II

10 WOODHAVEN DRIVE

SIMSBURY, CT 06070

| | | |
|---|---|---|
| FA 07 4029988 S | : | SUPERIOR COURT |
| JILL TRYON | : | JUDICIAL DISTRICT OF HTFD |
| v. | : | AT HARTFORD |
| STEPHEN REPKA III | : | MAY 16, 2011 |

PARTIAL TRANSCRIPT

Comments of the Judge

and Partial Orders.

BEFORE:

THE HONORABLE MARK H. TAYLOR, JUDGE

A P P E A R A N C E S:

Representing the Plaintiff: Jill Tryon

Jill Tryon, Self-represented
14 Bainbridge Lane,
West Hartford, CT

Representing the Defendant: Stephen Repka III

Attorney Alan Rome
Rome, Clifford, Katz & Koerner, LLP
214 Main Street,
Hartford, CT 06106

Recorded and
transcribed by:
Carol-Ann Neal
Court Monitor
90 Washington Street
Hartford, CT 06106

1 THE COURT: All right, if there's nothing else.
2 All right. It's just about five minutes to 1:00.
3 I'm not going to rule from the bench because I like
4 to think about these issues for a little while before
5 I reach a conclusion. I've heard a lot of what I've
6 considered to be classic problem, and it's one that
7 tries all of us who are engaged in this process on a
8 regular basis. The classic problem is when children,
9 apparently, refuse to comply with Court orders, and
10 then the question is the degree of which the parent
11 who has custody of them should be held responsible
12 for that.
13 All I've heard here today suggests that you,
14 sir, have done everything imaginable to bring about a
15 reconciliation between you and your children. I've
16 also heard that you've probably made some mistakes
17 along the way. I don't know the details of the
18 bathroom incident, but apparently, that may have been
19 a precipitating reason or some culmination of a
20 variety of issues that symbolized Emma's refusal to
21 continue to see you and her vehement rejection of
22 you, which is very heart rendering to hear. I think
23 any parent would be sad at the thought that that
24 would exist and continue. The question is always how
25 to unlock this problem.
26 This is a Court of law. I've often commented
27 that in Family Court it seems to be an intersection

1 between social sciences such as psychology and
2 sociology and the law. And the question is always
3 where are the lines to be drawn in exercising
4 judicial authority. I often reflect on whether or
5 not at times the use of judicial authority in what
6 would otherwise be a personal matter is helpful or
7 effective. From what I've heard from Attorney Rome
8 they've avoided the courtroom for that very reason,
9 to try to resolve this problem through the tools that
10 this family has available to them.
11 Some very competent psychologists and other
12 family therapists who have been continuously involved
13 in this family's life since apparently, 2007, before
14 the dissolution; it seems that there was an attempt
15 to resolve many of these differences early on. I
16 also have the impression that Mr. Repka is unforgiven
17 for his offenses to you as a husband. That was
18 fairly clear from your preliminary remarks. I'm not
19 sure the degree to which that affects your ability to
20 provide an example to your daughters as to how the
21 interaction is to occur. You're the person they look
22 to to understand how the interaction perhaps should
23 be between you and your ex-husband. And it seems
24 that that is a very, very difficult one for you to
25 constructively engage in.
26 This is where the issues of psychology and
27 sociology have to, to some degree, be put aside. I'm

1 just commenting on it because I'm now being asked to
2 issue orders that could result in very serious
3 consequences to the individuals involved. And the
4 idea here is to not make matters worse, but to make
5 matters better. I just wanted to comment on that to
6 you because that's what I've heard. I'm not quite
7 sure what to do about that. The law can't change
8 someone's heart. We try to change behavior, but
9 that's been an issue in this family for many years.
10 So I'm going to examine the proposed orders.
11 I'm thinking that I'm going to do something in an
12 attempt to put this back on the right track. I
13 think, ma'am, you've expressed your desire for there
14 to be a constructive relationship between the
15 children and their father. I also had the
16 overwhelming impression that you're leaving it to
17 them, and I understand your frustration.
18 As a parent myself I understand that I wish that
19 I could get my children to do my children to do the
20 things that I know are good for them, the things I
21 know they should do and with their resistance it's
22 difficult to know exactly how to get them to comply,
23 whether it be through inspiration by your example or
24 through consequences or punishment, and whether or
25 not someone will in a heartfelt way do what they're
26 supposed to do as a result of being punished into it.
27 It's a hard conundrum to solve. But again, I'm

1 limited to the legal side of this.

2 I will try to issue some limited orders. I hope

3 that they have some wisdom behind them and some

4 success. Good luck. I'm not sure whether or not I'm

5 gong to find a contempt. But in any event, there is

6 non-compliance, and the question will be remedial

7 orders or contempt. I'm not exactly sure which. I

8 just want to make -- is there anything else?

9 ATTORNEY ROME: No, Your Honor, unless I mean

10 again, I --

11 THE COURT: All right.

12 ATTORNEY ROME: -- I would have given a brief

13 summary. But I think you've summed it up nicely in

14 terms of the issues.

15 THE COURT: If there's anything else you want to

16 say.

17 ATTORNEY ROME: I just --

18 THE COURT: Yes.

19 ATTORNEY ROME: -- we do have the one financial

20 order as well on the mortgage to deal with as well,

21 which --

22 THE COURT: Correct. What --

23 ATTORNEY ROME: -- with out --

24 THE COURT: -- do you want as a remedy to that

25 problem?

26 ATTORNEY ROME: Well, I think it's in my proposed

27 orders, Your Honor, is that obviously, at least at

1 the very least, provide us with confirmation. I
2 don't think there's been ever an application to make
3 good on a refinance, but clearly the attorney's fees
4 for bringing the action in order to actually apply
5 for a refinance immediately, you know, given the --
6 THE COURT: All right.
7 ATTORNEY ROME: -- and provide confirmation of
8 all that information to Mr. Repka, and full
9 disclosure on the loan applications that were made
10 previously.
11 THE COURT: Where is that in your proposed
12 orders?
13 ATTORNEY ROME: It's T and U.
14 THE COURT: But is that a rem -- that's not a rem
15 -- that's an allegation.
16 ATTORNEY ROME: No, T and U would be --
17 THE COURT: What's the remedy?
18 ATTORNEY ROME: -- remedy. These are the
19 proposed orders.
20 THE COURT: The Plaintiff has failed to reconcile
21 the respective financial responsibilities for un-
22 reimbursed medical expenses on a quarterly basis; is
23 that the --
24 ATTORNEY ROME: No, no, no, no, no, no, no.
25 THE COURT: I'm sorry.
26 ATTORNEY ROME: On the --
27 (DISCUSSION OFF THE RECORD)

1 ATTORNEY ROME: That's on --
2 THE COURT: Proposed orders. That is in the
3 proposed orders unfortunately.
4 ATTORNEY ROME: No, no, no, on -- there's A, B,
5 C, D. Let me peek at --
6 THE COURT: Maybe it's --
7 ATTORNEY ROME: T is Plaintiff be ordered to
8 remove --
9 THE COURT: I see, on page 7 --
10 ATTORNEY ROME: Yes.
11 THE COURT: -- there's a separate set of --
12 ATTORNEY ROME: Yes.
13 THE COURT: -- A through U --
14 ATTORNEY ROME: Yes.
15 THE COURT: -- which would remove the Defendant's
16 name from the second mortgage within 60 days;
17 Plaintiff be ordered to provide full disclosure of
18 all loan applications made to refinance the mortgage
19 within 10 days. In other words, you want copies of
20 all loan applications made thus far. Correct?
21 ATTORNEY ROME: Yes, that's correct.
22 THE COURT: I'll order that within 10 days. Then
23 with respect to removing the Defendant's name from
24 the second mortgage, that, of course, is the degree
25 to which it can be reasonably achieved. So I can't
26 make an order that you suggest. What I would order
27 instead is that she apply for a refinance of the

1 second mortgage and if necessary, the first and
2 second mortgages together into one mortgage --
3 ATTORNEY ROME: Well, you had --
4 THE COURT: -- and provide the application to you
5 within a certain period of time.
6 ATTORNEY ROME: All right, you heard, Your Honor,
7 also, that there was a pay down of that second
8 mortgage and then incurred the debt again --
9 THE COURT: Yes, I know.
10 ATTORNEY ROME: -- and obviously, much to my
11 client's -- and the fact that he has lost interest
12 rate of a quarter percent, which again, there's
13 significant --
14 THE COURT: So what are you --
15 ATTORNEY ROME: -- numbers there. I'm not
16 necessarily suggesting that the order, but I would
17 like, again, the terms and conditions of that second
18 mortgage. I mean whether or not she's on a variable
19 rate --
20 ATTORNEY ROME: -- I mean there's a reason --
21 THE COURT: So what do you -- what do you want?
22 Just so I understand.
23 ATTORNEY ROME: To actually reapply for a second
24 mortgage with somebody --
25 THE COURT: I understand.
26 ATTORNEY ROME: -- else and --
27 THE COURT: I've ordered -- I've ordered that, I

1 think.

2 ATTORNEY ROME: Okay. Okay.

3 THE COURT: And my comment was that in the

4 alternative that she seek refinance of the first and

5 second together.

6 ATTORNEY ROME: Oh, perfect. Yeah.

7 THE COURT: I don't know whether or not it would

8 be more successful with both of them together --

9 ATTORNEY ROME: Okay.

10 THE COURT: -- or not. I understand she has a

11 three percent mortgage. I understand the original

12 order allowed her some flexibility with respect to

13 looking for advantageous terms, however, since I've

14 heard evidence that additional money has been placed

15 in the second mortgage, I'm a bit concerned about

16 that being his responsibility now when it was not a

17 marital debt at the time. So for that reason I'll

18 order that the application be done. Whether or not

19 it's going to be successful is another matter. So

20 the question is how to follow up on that.

21 ATTORNEY ROME: Right.

22 THE COURT: I think that she's to apply for that

23 within 30 days and then provide you with any

24 applications that she's made within 30 days and then

25 any responses within 60, and if for some reason you

26 think you need to bring a motion on that -- I'm

27 trying to figure out whether or not we should just

1 continue the matter for compliance, and that may be
2 the best way to do it so that no one has to file a
3 new motion and have it served etc., for failure to
4 comply. I think we should just have a review in --
5 when?
6 ATTORNEY ROME: July 16, if that's a --
7 THE COURT: Later. Later, because obviously,
8 let's see whether or not she's complying.
9 ATTORNEY ROME: August 1. That's fine.
10 Somewhere in August, that's fine.
11 THE COURT: All right, first week in August. I
12 know I -- you can make it on Wednesday.
13 CLERK: August 3.
14 THE COURT: August 3. Do you understand what I'm
15 asking you to do, ma'am?
16 MS. TRYON: Yeah, seek refinancing of the first
17 and --
18 THE COURT: Seek refinance of the --
19 MS. TRYON: -- second.
20 THE COURT: -- at least the second and the first
21 and second together to see whether or not it's
22 possible for you to do this, whether or not the bank
23 -- a bank will allow you to do that. I'll make it a
24 requirement that you apply to at least two
25 institutions to do that, your existing ones -- are
26 they both with the same bank?
27 MS. TRYON: Yes.

1 THE COURT: So you should apply to your existing
2 bank and then with an alternative bank as well,
3 provide those applications to Attorney Rome within 30
4 days, and then any responses within 60 days. We're
5 going to calendar this for just over that period of
6 time to see if there's compliance with the provision
7 of that information. All right.
8 MS. TRYON: Okay.
9 THE COURT: And then if you are approved, then
10 you are required to refinance.
11 MS. TRYON: All right.
12 THE COURT: Okay.
13 ATTORNEY ROME: And is there a finding of
14 contempt on that? I mean here's a --
15 THE COURT: There's -- there -- she claims she
16 was unaware. The language is clear in and of itself
17 that that was the requirement so I will find a
18 contempt on that particular issue. The consequence
19 is -- the consequence that I'm giving, I will
20 consider attorney's fees as well in my other thinking
21 about the case.
22 ATTORNEY ROME: Thank you, Your Honor.
23 THE COURT: I'll reserve judgment on that. Good
24 luck.
25 ATTORNEY ROME: Thank you, Your Honor.
26 MR. REPKA: Thank you.
27

| | | |
|---|---|---|
| FA 07 4029988 S | : | SUPERIOR COURT |
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| STEPHEN REPKA III | : | MAY 16, 2011 |

# C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard before the aforementioned Honorable Mark H. Taylor, Judge of the Superior Court, Connecticut, on the 16th day of May, 2011.

Dated this 20th day of May, 2011 in Hartford, Connecticut.

Carol-Ann Neal
Court Recording Monitor

## Stephen Repka

**From:** ruth hofstatter [rhofstatter@comcast.net]
**Sent:** Wednesday, February 27, 2013 8:59 PM
**To:** Stephen Repka
**Subject:** yr email

Hi--
it has indeed been awhile. All is well with me; thank you for asking.
And of course it is Fine with me to give my contact information! I appreciate your positive regard, especially given how difficult a time you have had with the court process and with Jill/the girls. I feel very strongly about PAS and the corrosive effects it has on families, especially the kids. Sadly, your girls will have so much to overcome because of Jill's damaging and destructive behavior.

Thank you for sharing this information with me. Please pass along other info as it comes your way.

I have not given up hope that you will have a relationship with your girls again---hopefully as they grow up they will realize what a bill of goods they got handed by their mother out of her own self-interest.

yours,
Ruth

**Stephen Repka**

**From:** ruth hofstatter [rhofstatter@comcast.net]
**Sent:** Saturday, March 16, 2013 7:00 PM
**To:** Stephen Repka
**Subject:** Re: Jerry Mastrangrlo Newspaper Articles on Case

Dear Stephen--
thank you for the article---second one not available at the site cited...

It is heinous that the legal system allows these cases to go on for years and rack up hundreds of thousands of dollars, meanwhile leaving the situation a mess inside the family. There are certainly divorces where a parent should not have visitation rights, at least until s/he proves they have changed. When a parent is abusive to the kids, it is an understandable call by the court. But it seems key that this be proven; not just hearsay by the other parent and some biased relatives. There is too much at stake for a decision to be made based on this. And as you well know, sadly, even when you have parental rights and a legal shared parenting plan, it doesn't have to be followed and little is done to the parent who refuses to follow the legal guidelines. That should change. Some jail time ought to be the consequence, frankly. Just a fine isn't going to cut it.

I am glad to hear you aren't going to encourage him to do what you did, though I understand that emotionally it felt like the only recourse that would give you some peace.
yours, Ruth

On Mar 15, 2013, at 8:55 AM, Stephen Repka wrote:

> Ruth,
>
> I just thought I would send you these two articles – I know Jerry, he is actually reaching out to me for advice. As you can read in the second article, his lawyer is recommending the same action that I did with my girls. The bummer part, all this is bringing back a lot of bad memories. We are trying to get together this Saturday for dinner – I have actually told him not to do what I did, but I think he is at the point that I was – total despair.
>
> Jerry has done a lot that I wanted to do – try to bring this issue out in the public – If PAS really interests you, I am sure I can help you be noted as an expert for us "targeted parents" to go to.
>
> Stephen
>
> ***This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. Any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited.***
>
> **From:** Jennifer [mailto:jenniferverraneault@yahoo.com]
> **Sent:** Thursday, March 14, 2013 2:06 AM
> **To:** jenniferverraneault@yahoo.com
> **Subject:** Jerry Mastrangrlo Newspaper Articles on Case
>
> Two articles in the New Haven Register today. Attorney Pattis' article appears in 6 papers across the state of Connecticut.
>
> Help bring awareness of parental alienation and how family court does not work in these cases.
> Www.PAinCT.com