

Raised H.B. No. 6685  
Session Year 2013

*AN ACT CONCERNING THE PRESUMPTION OF SHARED CUSTODY IN DISPUTES INVOLVING THE CARE AND CUSTODY OF MINOR CHILDREN.*

*To (1) establish a presumption of shared custody in any dispute involving the care and custody of minor children, and (2) provide the court with sanctions that may be imposed against a parent who knowingly makes a false statement to the court in a proceeding relating to the care and custody of minor children.*

Good morning, I have come here today to testify about the impacts of bureaucratic collusion, systemic apathy, and the lack of the rule of law in our family court system...and most importantly, the expensive toll on our families, children, and society.

Like many of my colleagues here today, my children and I are victims of this corrupt system where lawyers, family relations bureaucrats, and judges care more about clocking time against expensive retainers and maintaining their political relationships than enforcing the Rule of Law and supporting "the best interests of children". Since entering into the system in May of 2010, I have lost over \$125,000 to lawyers and had to cash in life savings to support my children. And because I wouldn't put my parents on the street and sell their home, I was rebuked by my lawyer...who already took \$80,000 of my money...he challenged me, "How committed are you to this?" When I refused to sell my parents' home, he then conned me into appearing "pro se" one month before my trial because he didn't want to look bad in front of the judge for dropping me.

I'd like to now briefly talk about the GAL. Assigned by mutual agreement of both lawyers and the judge, he saw my children one time for approximately 15 minutes, and has charged over \$20,000. Thinking that he was supposed to represent the "best interests of the children", I emailed him dozens of times recounting incidents of alienation, emotional abuse, and contempt...you know, the standard lines in every parenting plan, which state, "The parties shall exert every reasonable effort to maintain free access and unhampered contact between their children and each of the parties to foster a feeling of affection between their children and the other party. Neither party shall do anything which may estrange their children from the other party nor injure the opinion of the children as to their mother or father nor act in such a way as to hamper the free and natural development of their children's love and respect for the other party."

Rather than support me and the best interests of my children, the GAL repeatedly said to me, "What do you want me to do?" And when I finally took my ex-wife to court for contempt last year, he remained silent when the judge asked the last time he'd seen the children. Yet, he still billed me thousands more...and though the judge ruled in favor of my motion, she failed to apply any sanctions or means to hold my ex-wife accountable...and the bad behavior continues to this day.

So, what's the toll been on my family:

- My children and I have not taken a vacation in years.
- Hundreds of thousands of dollars I saved over my whole career for my children....gone.
- All three children have been in and out of therapy. We are currently on our 5<sup>th</sup> therapist.
- And until last month, my daughter had not slept over my home for nearly a year and a half. We've lost a lot of cuddling and father/daughter dances.

But my story is no different from thousands of others, and I am extremely saddened to hear of more children that are kept away from their parents. The largest toll is on the children. Our children have an inalienable right to be loved by BOTH parents and to love both parents, and except for cases of abuse and neglect, our government must do what it takes to ensure our children's rights are maintained. Since the Family Court system has failed us, we must look to legislation to protect the rights of our children...and this bill is a step in the right direction.

The key, however, to any legislation is Accountability and Enforcement. I strongly urge this body to support every child's right to love both his/her parents and have routine access and time with both parents, and if either parent impedes upon that right, there must exist stringent, undisputable, and enforceable consequences or sanctions. Without such enforceable sanctions, this effort is naught, we are wasting our time, and our children will continue to suffer. Thank you very much.