



30 Bank Street
PO Box 350
New Britain
CT 06050-0350
06051 for 30 Bank Street
P: (860) 223-4400
F: (860) 223-4488

THE CONNECTICUT BAR ASSOCIATION

THE FAMILY LAW SECTION

Judiciary Committee Public Hearing: 4/5/13

RAISED BILL 6688: An Act Concerning Revisions to Statutes Relating to the Award of Alimony

The CBA Family Law Section SUPPORTS R.B. 6688

1. The Family Law Section supports R.B. 6688 for several reasons, the most important of which is its call for a committee to fairly and thoroughly study awards of alimony. The 40th anniversary of the modern era of our family law statutes is this year of 2013. Since 1973 there has been little or no effort to study or research any data concerning alimony and other important aspects of our statutes. RB 6688 in Section 5 sets forth that the legislature establish a Legislative Program Review and Investigations Committee. We wholeheartedly support this idea.
2. R.B. 6688 specifically calls for the committee to “collect empirical data relating to the award of alimony ... and make recommendations for revisions to State statutes as the committee deems just and equitable.”
3. Section 3 of R.B. 6688 would add a new subsection (b) to C.G.S. 46b-82 and would require the court to articulate with specificity, the basis for non-modifiable, permanent alimony awards. We think it should be the public policy of this state that people are entitled to know the basis of all such orders. This will greatly help the high percentage of self-represented parties. We think it would reduce the number of appeals. We would prefer to have all alimony orders articulated if possible. It is a myth to believe that permanent alimony orders happen frequently. The fact is that orders with no specific termination date are always subject to modification when the financial circumstances change.
4. Under the factors to be considered when entering alimony orders (46b-82 (a)), the proposed language of Section 3 of R.B. 6688 adds earning capacity and education, which are already factors to be considered under our case law. The Family Law Section overwhelmingly supports these additions to 46b-82(a).
5. All of the new language in RB 6688 is in the form of editing the statute to make it gender neutral or clarifying things which are already in our case law and are generally uncontroversial.
6. The drafter of RB 6688 invited many interested groups such as the Family Law Section of the CBA, the Connecticut Chapter of the American Academy of Matrimonial Lawyers, CWEALF, legal aid programs and other interested parties to question them on their concerns and ideas. This is the proper way to undertake important legislation.

Respectfully submitted,
Connecticut Bar Association, Family Law Section

Arnold H. Rutkin
Former Chair and Member of the Executive Committee