



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

Testimony of
Family Law Section
Connecticut Bar Association

SENATE BILL 932

AN ACT EXCLUDING VETERANS' DISABILITY COMPENSATION FROM PROPERTY ASSIGNMENT AND ALIMONY IN DISSOLUTION OF MARRIAGE PROCEEDINGS.

Joint Committee on Veterans' Affairs, March 7, 2013

The Family Law Section of the CBA consists of over 800 members who advise Connecticut families involved in support and divorce proceedings. The Family Law Section has a great interest in bills that affect the practice of family law, and its members' clients. The Family Law Section opposes Senate Bill No. 932, An Act Excluding Veterans' Disability Compensation from Property Assignment and Alimony in Dissolution of Marriage Proceedings, and **respectfully encourages the Joint Committee on Veterans' Affairs to reject this bill.**

The Statement of Purpose of this bill states that its intent is to provide a benefit to disabled veterans by excluding their disability benefits from the determination of alimony and property distribution in divorce cases. We believe that our current alimony and property distribution statutes, C.G.S. §46b-81 and C.G.S. §46b-82, set forth the appropriate equitable factors to allow the court to consider the veteran's disability and service to his or her country in making orders of alimony and property distribution. Those factors include "the health ... amount and sources of income ... employability ... needs of the parties and the opportunity of each for future acquisition of capital assets and income."

A veteran's compensation for disability is as analogous to a worker's compensation award—it is a substitute for wages the disabled worker would otherwise earn, which the divorcing court considers when to award alimony and how much.

No other specific income source, including worker's compensation and social security disability, both of which are disability-based, is specifically exempted from consideration for alimony and property distribution purposes, such as pensions, rental real estate, stock options and the like. We are opposed to the specific exemption of any income source as it adversely affects the support of the non-veteran spouse. It is the first step down a slippery slope that will open the door for other groups to request the exemption of specific income sources. We believe the current statute is sufficient.

Thus, the Family Law Section of the Connecticut Bar respectfully requests that the Joint Committee on Veterans' Affairs reject this bill