



House of Representatives

General Assembly

File No. 736

January Session, 2013

Substitute House Bill No. 6685

House of Representatives, May 6, 2013

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT ESTABLISHING A TASK FORCE TO STUDY LEGAL DISPUTES INVOLVING THE CARE AND CUSTODY OF MINOR CHILDREN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) (a) There is established a task force
2 to study (1) the role of a guardian ad litem and the attorney for a minor
3 child in any action involving the custody, care and upbringing of a
4 child, (2) actions involving the custody, care and upbringing of a child
5 in which one party alleges that he or she has been subjected to parental
6 alienation and the role of a court when considering such allegations,
7 and (3) whether the state should adopt a presumption that shared
8 custody is in the best interest of a minor child in any action involving
9 the custody, care and upbringing of a child. Such study shall include,
10 but not be limited to, an examination of (A) state statutes applicable to
11 an action involving the custody, care and upbringing of a child, and
12 (B) the costs associated with contested divorce actions, including, but
13 not limited to, expert witness fees and attorneys' fees including the fees
14 of guardians ad litem and attorneys for the minor children. Such study

15 may include recommendations for legislation on matters studied by
16 the task force.

17 (b) The task force shall consist of the following members:

18 (1) One appointed by the speaker of the House of Representatives,
19 who shall be a practicing attorney with significant experience in the
20 handling of child custody matters in state courts;

21 (2) One appointed by the president pro tempore of the Senate, who
22 shall be a practicing attorney with significant experience serving as a
23 guardian ad litem or an attorney for the minor child in child custody
24 matters in state courts;

25 (3) One appointed by the majority leader of the House of
26 Representatives, who shall have personal or professional experience in
27 matters involving allegations of parental alienation made in the
28 context of a proceeding involving the custody, care and upbringing of
29 a minor child;

30 (4) One appointed by the majority leader of the Senate, who shall be
31 an attorney whose practice includes civil trial work;

32 (5) One appointed by the minority leader of the House of
33 Representatives, who shall be an attorney with significant experience
34 in the handling of child custody matters in state courts;

35 (6) One appointed by the minority leader of the Senate, who shall
36 have personal or professional experience in matters involving
37 allegations of parental alienation made in the context of a proceeding
38 involving the custody, care and upbringing of a minor child; and

39 (7) The Chief Administrative Judge of the Family Division of the
40 Superior Court, or the Chief Administrative Judge's designee.

41 (c) Any member of the task force appointed under subdivision (1),
42 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
43 of the General Assembly.

44 (d) All appointments to the task force shall be made not later than
45 thirty days after the effective date of this section. Any vacancy shall be
46 filled by the appointing authority.

47 (e) The Chief Administrative Judge of the Family Division of the
48 Superior Court shall serve as the chairperson of the task force. The
49 chairperson shall schedule the first meeting of the task force, which
50 shall be held not later than forty-five days after the effective date of
51 this section.

52 (f) The administrative staff of the joint standing committee of the
53 General Assembly having cognizance of matters relating to the
54 judiciary shall serve as administrative staff of the task force.

55 (g) Not later than February 1, 2014, the task force shall submit a
56 report on its findings and recommendations to the joint standing
57 committee of the General Assembly having cognizance of matters
58 relating to the judiciary, in accordance with the provisions of section
59 11-4a of the general statutes. The task force shall terminate on the date
60 that it submits such report or February 1, 2014, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Legislative Mgmt.; Various State Agencies	GF - Potential Cost	Less than 1,000	None

Municipal Impact: None

Explanation

There may be a cost of less than \$1,000 to agencies participating in the task force to reimburse legislators and agency staff for mileage expenses.

The Out Years

There is no annualized ongoing fiscal impact as the task force terminates by FY 14.

OLR Bill Analysis

sHB 6685

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SUMMARY:

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/19/2013)