

“Permanent Alimony: The Second Wife’s Perspective”
Presentation by Lillian C Parmelee, Madison, CT
Public Meeting of the Connecticut Law Review Committee
January 29th, 2014
Addendum added for March 31 2014 testimony

Bill 5524

Although my first marriage was a nightmare, the divorce was relatively easy: I had a job, there was no alimony to fight over, my divorce was short lived and inexpensive. My ex and I are now on civil terms, which is healthy for our teenage children. We were all able to move on and heal.

Ironically, the ability to move on was stunted when I re-married. My second husband and I live a new nightmare. Unless you live it, it is impossible to understand the devastation alimony causes. People think it is a fair system, similar to child support, based on a consistently applied formula and of limited duration until the dependent party gets on her feet. However, the alimony laws are vague and unfair. They can result in the permanent dependency of one person on another and impede everyone’s ability to move forward.

My husband endured his first marriage longer than he should have “for the sake of the kids.” They struggled financially, but his first wife refused to get a job, even after the kids were grown. Their divorce was long, bitter and expensive because his ex-wife was advised she would never have to work: she was “entitled” to a life of alimony dependence as per current state precedence. To curtail sky rocketing legal fees, he was forced to settle, and lead a life supporting a dependent, able-bodied adult, forever. Making ends meet was now completely unattainable. When I married him, he was in huge debt, bankrupt, insolvent and his house was in foreclosure; he drained his IRA to pay basic monthly bills, when it was gone, bills went on the credit card. With a teacher’s salary, I did everything I could to help him dig out from under. His alimony payments to his ex-wife became OUR alimony payments.

As time went on we realized there was no digging out. We were caught in a catch 22. We cannot stop alimony until he retires, but we cannot save for retirement as long as we are paying alimony; thus we cannot dream of retirement after working all our lives. If I encourage and support my husband to work longer hours or find a higher paying job, his ex-wife will say she is “entitled” to more. Alimony robbed him of his motivation to go to work each day. Our two salaries together can barely make ends meet with my two teenagers, ourselves and an ex-wife to support. It feels like a marriage of three: me, my husband, and his dependent first wife. It is as though we are being punished to lead hardworking, exhausting lives so that she may frolic in a life reminiscent of childhood-- unemployed, with all needs met. Of course this arrangement precludes an amicable relationship with her, which is stressful for my adult step kids, and in turn has caused an impediment to my developing a relationship with them.

From a working mother’s perspective, antiquated and vague alimony law which can lead to permanent dependence, discriminates against the receiver. Unlike convicts, drug addicts and disabled people, she is believed to be unfit for rehabilitation and unemployable forever. There is a financial disincentive for her to enjoy a second marriage herself, for she would lose her governmentally endorsed free ride. In many cases, it causes the receiver to set up a lifestyle of fraud and deceit which is easy to do. In the case of my husband’s ex, she collects cash income from various sources, and she is secretly cohabitating with a boyfriend. We know this from my step children, who don’t see the illegitimacy in their mother’s behavior. The burden of proving alimony abuse is on us, but the cost to do so is prohibitive. In addition, bringing her to court may require the kids’ testimonies, which would further degrade our relationship with them.

The dependent life of a non-working alimony receiver is just not realistic in today’s social and economic climate. We all must work when married and we all must work when divorced—no one is entitled to a free ride. Bad marriages and divorces are inevitable and hard enough on kids and families; permanent alimony never allows the divorce to finalize; the agony is perpetual, the burden great, and the healing process impossible. Connecticut needs you to reform alimony law so that the amounts and terms are clear and consistent, so that alimony is rehabilitative and not permanent, and so that family resources are not drained seeking modification after modification. Like the old adage, “Give a man a fish and you feed him for a day; teach a man fish and you feed him for life,” we need to train dependents and get them employed so they can be independent, participating members of society and so that families can move forward after divorce.

ADDENDUM

When I was in Hartford this January giving testimony, I was horrified that many of the divorced alimony paying men I met were afraid to remarry. Not because they couldn’t love again, or because they were afraid they may have another alimony. Instead, it was something I wasn’t aware of: It was because the salary of their hard working girlfriend, if she were to become his wife, could be figured into a modification and alimony for the ex-wife could increase. This was very scary to me as a second wife. Obviously. When giving my testimony, I brought the subject to the committee’s attention and I was asked by a committee member why I thought it wasn’t fair that my new husband’s alimony to his ex wife should not go up now that my husband and I

Addendum added for March 31 2014 testimony

are married. This question really should stop a person in one's tracks. Really? I have worked all my life, really very hard. I did not have the luxury of a stay at home life with my children. And if I was lucky enough to have stayed home with my children, I would not have inferred a lifetime of entitlement to staying at home once my children were grown and out of the house. On behalf of all hard working single moms of Connecticut who woke every morning, got the kids up, fed them breakfast, drove them to day care and paid for it, all before the sun rose, I strongly believe that our salaries SHOULD NOT be considered into the equations when for the able bodied women who really want a life long vacation of receiving alimony checks. Please try to think of this if this was your son. Would you want your son in this situation? Paying alimony to a woman who he divorced who really could be working? Please think about it if this were your daughter? Would you want your daughter mooching off the hard work of a man who she divorced, refusing to work herself, or worse, his new wife? The alimony laws must help receivers become independent, not more dependent. Isn't that what you have wanted for your own children all along. Why would you fight for anything else?

The other question that was asked of me by the same committee member was why an alimony receiving woman who was cohabitating, and obviously benefiting financially from a boyfriend, should not continue to receive alimony. The answer to this is the direction the money is flowing. You see, to receive monetary support from a person who you are in a marital-like relationship with and to receive alimony is like polygamy: two marriage like supporters, and it is clearly taking advantage of our legal system and of another human being. Again, alimony should be for the purpose of getting a person independent and on her feet. It should never enable or entitle as this will lead to bitterness, degraded relationships, but worse it will disable individuals, families and eventually systems will collapse.