My divorce from an abusive man started in November 2011. I am a victim of domestic violence. When the divorce was filed, I thought that I would get relief and help with the situation we were living in. Little did I know that I was about to become another victim.... a victim of the family divorce system of CT, which includes the abuse from the wrongfully assigned GAL, John Mager of Milford, CT. Cost of having a stranger infringe upon my parental rights?$ 59,000.00 plus $11,500.00 for HIS attorney Christopher Goulden of Shelton, CT.(after I filed two grievances against John Mager).

In regards to :**AMENDMENTS TO RAISED BILL NO.** 6685
AN ACT CONCERNING THE PRESUMPTION OF SHARED CUSTODY IN DISPUTES INVOLVING THE CARE AND CUSTODY OF MINOR CHILDREN

Sec. 4. Section 46b-56 of the general statutes is amended by adding subsection (j) as follows (effective October 1, 2014):

(new) (j) In cases involving an existing Parental Responsibility Plan (PRP), or any existing custodial order, statutory factors (6) and (7) of Conn. Gen. Sats 46b-56(c) shall determine the resolution of any dispute. A pattern of noncompliance with existing custodial orders, or with an existing PRP provides evidence of unwillingness to foster a good parent-child relationship (violation of factor 6) and/or manipulative or coercive behavior (factor 7). Such pattern of noncompliance will result in a finding in favor of the other parent. Note: the relevant factors:

(6) the willingness and ability of each parent to facilitate and encourage such continuing parent-child relationship between the child and the other parent as is appropriate, including compliance with any court orders;
(7) any manipulation by or coercive behavior of the parents in an effort to involve the child in the parents' dispute.

Rationale: to reduce litigation by establishing the primary role of behavior fostering a good relationship with the other parent.

This bill is excellent and needs to be passed. I was the primary care giver of my children. During the divorce process, their father continued to engage in coercive behaviors both while we lived together and after he moved out. Their father's mission was (**and still is**) to manipulate my children and interfere with my relationship with them. He was incarcerated once for non-compliance of such. But, it did not stop him. It only made his coercive behaviors worse. Such coercive behaviors include the following acts:

1) At our meeting place, he instructed my children to tell me that, (all of a sudden) they didn't want to go with me **while he video taped them doing what he instructed them to say.**

2) Disparaging me in front of my children by swearing at me and telling my children that I did not love them.
3) Stopping all visitations , on his own accord for over 2 months.
4) Refused to attend co-parenting , or communication through Our Family Wizard
5) Jumping out of his vehicle at the meeting spot and running up to me. He then screamed and swore at me for no reason. He made a motion that he was going to assault me, jumped back in and sped off with my children in his car. I stood speechless the entire time as there was no reason for such behavior other than to scare my children into not going with me. I was standing outside my vehicle and waited for my girls to come to me. His behavior was unprovoked and odd.

6) After his incarceration, he told my children they had to see me because " your mother got me locked up."

7) He would not leave on visitations, but remain in view. He would text my children and often make them leave early. My children were constantly looking around to see where their father was.

8) He would not allow my children to see me on mother's day. He informed my children that "Mother's Day was Father's Day."

Of course there is a lot more. The point is the GAL knew about the coercive acts of domestic violence that my children witnessed prior to his moving out, and the GAL knew about his coercive acts interfering with my relationship with my children after he moved out.

Not only did the GAL not respond appropriately, he recommended that my children's abusive father, get Sole Custody , which he now has. The GAL was retaliating against me for filing two valid grievances against him for committing perjury in court, on several occasions, causing great harm to my children.

If this Bill was passed two years ago, I would have my children and be able to resume my positive role as primary care giver.

REGARDING THE FOLLOWING BILL (494), MY RECOMMENDATIONS ARE IN BOLD PRINT.

General Assembly
February Session, 2014

Raised Bill No. 494
LCO No. **3068**
03068_____JUD

Referred to Committee on JUDICIARY
Introduced by:
(JUD)

AN ACT CONCERNING GUARDIANS AD LITEM AND ATTORNEYS FOR MINOR CHILDREN IN FAMILY RELATIONS MATTERS.

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

Section 1. (NEW) (*Effective October 1, 2014*) (a) Except as provided in subsection (b) of this section, prior to appointing counsel or a guardian ad litem for any minor child in a family relations matter, as defined in section 46b-1 of the general statutes, the court shall provide the parties to the matter with written notification of five persons who the court has determined eligible to serve as counsel or a guardian ad litem for any child in such matter. Not later than two weeks after the date on which the court provides such written notification to the parties, the parties shall provide written notification to the court of the name of the person who the parties have selected to serve as counsel or a guardian ad litem for their matter. In the event that the parties (1) fail to timely provide the court with the name of the person to serve as counsel or a guardian ad litem for their matter, or (2) cannot agree on the name of the person who shall serve as counsel or a guardian ad litem for their matter, the court shall appoint counsel or a guardian ad litem for the minor child by selecting one person from the five names provided to the parties.

IT WOULD BE MORE LOGICAL TO SWITCH A WITH B IN THIS SECTION.

(b) The provisions of subsection (a) of this section shall not apply when the parties have requested that counsel or a guardian ad litem be appointed and

present to the court a written agreement that contains the name of the person who the parties have selected to serve as counsel or a guardian ad litem for the minor child for their matter.

(c) Not later than twenty-one days following the date on which the court enters an initial order appointing counsel or a guardian ad litem for any minor child pursuant to this section, the court shall enter a subsequent order that includes the following information: (1) The specific nature of the work that is to be undertaken by such counsel or guardian ad litem;

(2) the date on which the appointment of such counsel or guardian ad litem is to end, provided such end date may be extended for good cause shown pursuant to an order of the court;**This is not strong language. It needs to state a specific time frame of 3 months. Juvenile Probation Officers conduct their investigation,(which is more thorough and detailed than that of a GAL) in 6 weeks. In addition, remove "extended for good cause shown" as this opens the door for further corruption by the GAL . It would allow a loop hole for the GAL to remain on a case unnecessarily. This would allow the GAL to increase the billable hours causing higher fees and more corruption.**

(3) the deadline for such counsel or guardian ad litem to report back to the court concerning the work undertaken;

(4) the fee schedule of such counsel or guardian ad litem which shall minimally set forth (A) the amount of the retainer, (B) the hourly rate to be charged, and (C) the apportionment of the retainer and hourly fees between the parties; and**THIS IS GOOD, BUT, IT NEEDS TO BE MORE SPECIFIC. THERE NEEDS TO BE A CAP ON THE AMOUNT A GAL CAN CHARGE BOTH HOURLY AND BY CASE.**

(5) a proposed schedule of periodic court review of the work undertaken by such counsel or guardian ad litem and the fees charged by such counsel or guardian ad litem. Periodic court review shall be undertaken not less than every six months following the date of the appointment of such counsel or guardian ad litem, unless such periodic court review is waived by the parties and any such counsel or guardian ad litem pursuant to a written agreement filed with the court. **Does not state WHO is conducting periodic reviews or time frame. Recommendation is for a non-profit organization such as Focus on Kids program (an initiative of the CT Council of Family Services Agencies) so as not to show biased favor of any GAL. In**

addition, the time frame must be stated. My recommendation is for every 2 or 3 months. NOT 6 months as this is a long time for a child and is an unnecessary financial burden to parents.

Sec. 2. Section 46b-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

(a) The court may appoint counsel for any minor child or children of either or both parties at any time after the return day of a complaint under section 46b-45, if the court deems it to be in the best interests of the child children. The court may appoint counsel on its own motion, or at the request of either of the parties or of the legal guardian of any child or at the request of any child who is of sufficient age and capable of making an intelligent request.

(b) Counsel for the minor child or children may also be appointed on the motion of the court or on the request of any person enumerated in subsection (a) of this section in any case before the court when the court finds that the custody, care, education, visitation or support of a minor child is in actual controversy, provided the court may make any order regarding a matter in controversy prior to the appointment of counsel where it finds immediate action necessary in the best interests of any child.**FOR BOTH SECTIONS ABOVE (A) AND (B), DO NOT NEED A GAL TO INTERFERE FOR THE ABOVE. IT IS PARENT VS. PARENT SITUATION.**

(c) If the court deems the appointment of counsel for any minor child or children to be in the best interests of the child or children, such appointment shall be made in accordance with the provisions of section 1 of this act.

[(c)] (d) Counsel for the minor child or children shall be heard on all matters pertaining to the interests of any child, including the custody, care, support, education and visitation of the child, so long as the court deems such representation to be in the best interests of the child.

LANGUAGE DOESN'T STATE GAL, ONLY "COUNSEL FOR MINOR CHILD",NEEDS TO INCLUDE GAL.

Sec. 3. Section 46b-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

In any controversy before the Superior Court as to the custody of minor children, and on any complaint under this chapter or section 46b-1 or 51-348a, if there is any minor child of either or both parties, the court, if it has jurisdiction under the provisions of chapter 815p, may allow any interested third party or parties to intervene upon motion. The court may award full or partial custody, care, education and visitation rights of such child to any such third party upon such conditions and limitations as it deems equitable. Before allowing any such intervention, the court may appoint counsel for the child or children pursuant to the provisions of section 46b-54, as amended by this act, and section 1 of this act. In making any order under this section, the court shall be guided by the best interests of the child, giving consideration to the wishes of the child if the child is of sufficient age and capable of forming an intelligent preference.

WHO IS 3RD PARTY? RELATIVE? COMPLETELY REMOVE LAST SENTENCE. THE PARENTS NEED TO DECIDE WHAT IS IN THE CHILD'S BEST INTEREST. THIS PLACES THE CHILD IN THE MIDDLE. DIVORCE IS TRAUMA. CHILDREN ARE NOT CAPABLE OF MAKING A DECISION THAT WOULD INFLUENCE THE REST OF THEIR LIVES. IT OPENS THE DOOR FOR COERCIVE BEHAVIORS BY A CONTROLLING, ABUSIVE PARENT AND/OR A CONTROLLING, ABUSIVE GAL. SUCH LANGUAGE WOULD MERIT IT AS BEING EMOTIONAL CHILD ABUSE. NEEDS TO BE REMOVED!

Sec. 4. (NEW) (*Effective October 1, 2014*) Any party to an action involving the custody, care, support, education and visitation of a child shall have standing to file a motion that seeks removal of counsel for the minor child or a guardian ad litem for the minor child. The Judicial Branch shall establish a procedure to effectuate the hearing of a motion seeking removal of such counsel or guardian ad litem. Prior to hearing such motion, the court may refer the parties to mediation with a family services officer employed by the Judicial Branch. If the allegations set forth in the motion cannot be resolved through mediation, a hearing shall be held on the motion and a decision on the motion shall be made by the court. The presiding judge shall determine the judge who is assigned to hear such motion.**LANGUAGE INDICATES THAT A SINGLE PARTY CAN TERMINATE GAL APPOINTMENT. NEEDS CLARIFICATION. IN ADDITION, MUST ADD THAT MOTIONS TO REMOVE GAL'S ARE UNLIMITED AND MUST STAY**

IN FILE REGARDLESS IF THEY ARE DENIED OR NOT. JUDICIAL BRANCH SHOULD NOT BE REVIEWING THE MOTIONS TO REMOVE GAL. ESPECIALLY WHEN A PARENT HAS CONCERNS ABOUT THE PRESIDING JUDGE AND THEIR RELATIONSHIP WITH THE GAL. THAT JUDGE SHOULD NOT BE REVIEWING SUCH MOTION.

Sec. 5. Section 46b-62 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

(a) In any proceeding seeking relief under the provisions of this chapter and
(b) sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to 46b-213w, inclusive, 47-14g, 51-348a and 52-362, the court may order either spouse or, if such proceeding concerns the custody, care, education, visitation or support of a minor child, either parent to pay the reasonable attorney's fees of the other in accordance with their respective financial abilities and the criteria set forth in section 46b-82. If, in any proceeding under this chapter and said sections, the court appoints [an attorney] counsel or a guardian ad litem for a minor child, the court may order the father, mother or an intervening party, individually or in any combination, to pay the reasonable fees of [the attorney] counsel or the guardian ad litem or may order the payment of [the attorney's] counsel's or the guardian ad litem's fees in whole or in part from the estate of the child. If the child is receiving or has received state aid or care, the compensation of [the attorney] counsel or the guardian ad litem for the minor child shall be established and paid by the Public Defender Services Commission.

MUST REMOVE " INTERVENING PARTY". THIS ALLOWS THE COURT TO ORDER FAMILY MEMBERS TO PAY FOR OUTSTANDING FEES. THIS IS A COERCIVE ACT AND MUST BE REMOVED. LAST SENTENCE IS EXCELLENT.

(c) If, in any proceeding under this chapter and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to 46b-213w, inclusive, 47-14g, 51-348a and 52-362, the court appoints counsel or a guardian ad litem for a minor child, the court may not order the father, mother or an intervening party, individually or in any combination, to pay the reasonable fees of counsel or the guardian ad litem for a minor child from a college savings account, including any account established pursuant to any qualified tuition program, as defined in Section 529(b) of the Internal Revenue Code, that has been established for the benefit of the minor child. **EXCELLENT. IT**
(d)
(e)

PROTECTS COLLEGE FUNDS. SHOULD NOT STATE NAME OF THAT COLLEGE FUND OR WHERE THE ACCOUNT LIES

(c) In any proceeding under this chapter and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to 46b-213w, inclusive, 47-14g, 51-348a and 52-362, in which the court appoints counsel or a guardian ad litem for a minor child, the court may order that the fees owing to such counsel or guardian ad litem be calculated on a sliding-scale basis after giving due consideration to the income and assets of the parties to the proceeding. **CHANGE "MAY" TO SHALL.**

(d) The Judicial Branch shall develop and implement a methodology for calculating, on a sliding-scale basis, the fees owing to counsel or a guardian ad litem for a minor child appointed in any proceeding under this chapter and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to 46b-213w, inclusive, 47-14g, 51-348a and 52-362.

Sec. 6. (NEW) (*Effective July 1, 2014*) The Judicial Branch shall develop a publication that informs parties to a family relations matter, as defined in section 46b-1 of the general statutes, about the roles and responsibilities of counsel for the minor child and the guardian ad litem when such persons are appointed by the court to serve in a family relations matter. Such publication shall be available to the public in hard copy and be accessible electronically on the Internet web site of the Judicial Branch.

a minor child; and (4) require the Judicial Branch to develop a publication that informs parties to a family relations matter about the roles and responsibilities of counsel for the minor child and the guardian ad litem. **GOOD**