

Sent: Friday, March 28, 2014 2:22 PM
To: testimony@jud.ct.gov; Jud Testimony
Subject: R.B. 494 - hearing, 3/31/2014

Dear Sir or Madam:

Please accept the following thoughts with regard to R.B. 494.

I'm an attorney in Danbury who handles a certain amount of family cases. There's a contingent calling itself the 'Coalition for Connecticut Family Court Reform' which seems to think that everyone involved in the family court system, from the judges down to the attorneys and GALs, is somehow in cahoots to become stinking rich on the backs of Connecticut's families, especially its children. I get emails periodically from a Peter Szymonik, who I gather is a member of CCFRC. I received an email from him today stating "[u]ntil our GAL system is revamped with proper and independent oversight and accountability, and the too close relationships between a very small group of GALs and family law judges they enjoy direct and unwarranted access to is addressed, and the state ceases believing it is a better parent, than parents are - this problem will continue."

I'm not sure he grasps that courts and GALs only get involved in custody disputes when parents are unable or unwilling to sort those issues out themselves - ??? Only a very tiny minority of family disputes involve contested custody issues that cannot be resolved without judicial intervention. These are the highest of the high-conflict cases, involving high-conflict parties.

Mr. Szymonik goes on to state that "a very small and elite group has essentially dictated family court policy and taken over court operations for their own personal means and to promote their own personal agendas - and agendas which do not place children and families first." To be blunt - I have no idea what he's talking about. He neither explains what these individuals might be doing or how they stand to gain from their alleged misdeeds, nor does he provide any examples of same. But nonetheless, he goes on to say that this (??) is destroying the family court system, and is the reason why 85% of family court litigants are pro se today, up from 70% two years ago.

I gather it's true that roughly 85% of family litigants are now pro se. But 85% of family litigants are certainly not parties to the kind of contested custody matters that invoke the involvement of the Family Relations Division, or GALs. If parties are eschewing the services of the family bar, perhaps the reasons lie elsewhere - for example, a court system that bends over backwards to be friendly to pro se litigants, combined with an economic climate where people are hard-pressed to pay for the services of a lawyer, especially if they are encouraged to believe that they can do it themselves. Perhaps THIS is the reason why younger attorneys are not pursuing careers in family law. The older cadre have established their practices in the field and are likely hard-pressed to totally re-tool their practices at this point in their careers. To say that the 55-and-older practitioners have made their fortunes, emerged from the recession (has it ended? If so, I've not gotten the memo on that) unscathed, and are comfortable with and wish to perpetuate the status quo is laughable (OK, I'm only 54).

Perhaps if there's money to be made in family law going forward, it will be in post-judgment matters involving efforts to sort out the messes created by pro se's who have drafted and entered their own agreements without regard for the intricacies of the law.

I've practiced family law on and off since 1989, minus several years taken off to raise children. I can say without hesitation that I haven't, and don't expect, ever to become wealthy from the practice of family law. I've served as a GAL and personally know some top-notch GALs. None that I know are becoming wealthy through their practice as GALs.

I suspect that the members of the CCFCR are simply disgruntled high-conflict litigants who don't happen to like the outcomes of their particular cases, and, having exhausted all judicial avenues, are now taking their fight to another arena. As such, I'd take their grievances with a grain of salt, and hesitate to dismantle the current system based on the complaints of a small but vocal minority.

Thank you for your consideration.

Sincerely,
Lynne Jackson
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