

Testimony of Atty. Shirley M. Pripstein
Greater Hartford Legal Aid, Inc.

Re: Raised Bill 5505 AN ACT CONCERNING FAMILY COURT PROCEEDINGS

Judiciary Committee
March 11, 2015

Recommended Action:	REJECT THE BILL
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My name is Shirley Pripstein I am an attorney who has practiced exclusively the area of divorce and family law for over 34 years. I am a past president of the Family law Section of the CBA. I am speaking today on behalf of Greater Hartford Legal Aid. We represent indigent persons, primarily domestic violence victims, in the family courts throughout Hartford County, which includes the Judicial District of Hartford as well as portions of the Judicial District of New Britain and the Judicial District of Tolland at Rockville.

This bill has four sections, each of which is seriously adverse to the interests of low income people and victims of domestic violence.

Section 4 -- Section 4 of the bill would prohibit a Guardian ad Litem¹ from testifying as to a medical diagnosis or conclusion regarding the minor child. Ostensibly, this would allow the court to hear directly from the medical provider. However, medical providers must be subpoenaed to court and must be paid for their time. Preparation for testimony, travel time, and court time are not expenses covered by insurance. Therefore, not allowing a GAL to testify as to information gleaned from conversation with the child's health care provider would add an extra layer of cost to the parent who wanted that testimony, often the domestic violence victim. In many cases, that parent will simply not have the financial resources to produce the testimony, so the information will not be available to the judge at all. How is this in the best interest of children?

I should also note if one parent is not happy with the GAL's testimony as to information gleaned from the child's health care provider, that parent is certainly free to subpoena the provider him or herself and impeach the testimony of the GAL.

¹ Attorneys for children may call and examine witnesses, but do not themselves testify
Greater Hartford Legal Aid, Inc.

