

1 TO: THE STATE OF CONNECTICUT - JUDICIARY COMMITTEE

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3 FROM: PETER T. SZYMONIK

4 GLASTONBURY, CT

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6 DATE: 10 MARCH 2015

7 RE: TESTIMONY IN FAVOR OF HB 5505

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9 My name is Peter Szymonik and I have lived in Connecticut almost all of
10 my life. I have spent most of my career working in or for the legal industry
11 and worked for six years at the same law firm that produced Sen. Blumenthal,
12 Justice Bright, Former Supreme Court Justice McLachlan and Chief State
13 Justice Rogers. Our law firm prided and distinguished itself by requiring
14 the highest possible level of ethical standards and professional behavior
15 from our partners, attorneys and staff.

16 Over the course of my career in the legal industry, I have worked with
17 literally hundreds of law firms and attorneys and sat on and chaired many
18 local and national legal industry committees. I am an expert in legal
19 operations, legal bill review, legal spend management and business process
20 improvement.

21 I am Polish immigrant whose family came to this country, worked very
22 hard, and always placed family and education first. My first exposure to our
23 state's completely dysfunctional and inherently corrupt "family" court system
24 was during 2007, a year before my divorce was final in 2008. Since then, I
25 have remarried and my wife and I have three wonderful young sons between us,
26 two of whom are on the autistic spectrum. My wife is an adult child of
27 divorce. She has denied her right to be an equal parent and mother for her
28 amazing young son not due to any fault or failing on her part, but solely due

1 to a "family" court system and the attorneys who purposely promote and
2 encourage conflict between parents, using children as pawns. This small
3 group of well-connected and well-organized attorneys, who are speaking out
4 against this bill as a "Call to Arms!" have co-opted the operation of family
5 courts for their own personal gain. They work with family court judges, most
6 of whom to be their colleagues and AMC/GALs, to purposely leave children in
7 the hands of abusive parents, in order that these attorneys may personally
8 enrich themselves from perpetuating conflict and misery. Children and
9 families and parents and grandparents, be damned. This is the reality of
10 what is happening in our state's broken and corrupt "family" court system.

11 Thousands of parents, business leaders, concerned legislators,
12 progressive family law attorneys and mental health professionals in this
13 state - are demanding far better. We are using the power of social media to
14 tell our stories, exchange ideas, and to promote positive reforms of our
15 state's family court system - reforms reflected in HB 5055. As Attorney
16 Rutkin noted in a recent CT Law Tribune article, our family court system is
17 broken and no longer working for the people of this state.

18 My wife and I became part of this effort because we, our sons and our
19 families have been taken advantage of and preyed upon - because we have
20 children with special needs. We have been financially and otherwise
21 devastated by the family court system for no good or valid reason or failing
22 on our part. This not due any "high conflict" between us and our former
23 spouses, but solely due to the operational dysfunction, violations of due
24 process, and inherent patronage and corruption which have undermined and
25 crippled our state's family court system.

26 Speaking frankly and with authority on this subject, this operational
27 dysfunction has been self-inflicted by the divorce industry and family court
28 system in this state, on itself. What the divorce industry has done in this

1 state is not only to the detriment of our state, to our children, and to our
2 families, but also to the detriment of the practice of family law itself. It
3 is a direct result of the undue influence a private corporation known as the
4 AFCC, and its members, have had on family court operations in this state.

5 The AFCC in Connecticut is comprised of a very small group of family
6 law attorneys, GALs and "court appointed experts." This small group of
7 individuals has worked directly with family court judges to control court
8 operations and to establish court policies. They have dictated how
9 legislation favorable to them is drafted and written. They control the flow
10 of millions of dollars' worth of state and federal dollars. And they make
11 payments to a select few vendors and "court appointed experts" they opt to
12 engage - and who agree to promote the AFCC's agenda in this state.

13 All of this has happened with absolutely no input from the legislature,
14 parents or citizens of this state. Parents and taxpayers who are the
15 consumers of the court's services and paying for court operations with a very
16 reasonable expectation of very high performance standards, adherence to the
17 word and intent of our laws, to promote ethical and professional behavior,
18 and excellence, and to do good - especially since children are involved.

19 Instead, family court policy and practice has been driven by horribly
20 dated divorce industry funded "studies" which have no real scientific or
21 empirical evidence behind them, all of which have been repeatedly debunked by
22 the scientific and medical communities as being based on junk science.

23 The Bar Association in this state has unfortunately done very little
24 except work to protect the personal financial interests of these select few
25 individuals, and simply repeating the now well-worn divorce industry slogans.
26 The Bar Association is not promoting the best interests of family law
27 attorneys and the legal industry in this state as whole. Contrast this to
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1 the New York State Bar, which pro-actively conducted its own study and made
2 very positive recommendations for reform to that state's legislature.

3 Recently when this state's legislature attempted to gather meaningful
4 information and concrete data and metrics to examine the actual facts and
5 evidence, this effort was immediately attacked and deemed irrelevant and "not
6 needed."

7 These dated policies have accomplished very little across this country
8 to promote the welfare of children and to support families. They have
9 instead created a generation of children of divorce who grew up without the
10 benefit of having both parents in their lives for no good reason, other than
11 that this condition was used to promote and encourage conflict the divorce
12 industry could exploit in the name of profit and greed. Many of these adult
13 children of divorce are here testifying today.

14 Frankly speaking - the blame for what is happening in our family court
15 system rests entirely and squarely in the shoulders of the AFCC and its
16 membership in this state. Parents, citizens and taxpayers - are not the ones
17 to blame. Well-meaning and progressive family law attorneys, whose primary
18 focus is on the actual best interests of their clients and their children and
19 their families, are not to blame.

20 "High conflict" cases are not to blame. Courts have dealt with "high
21 conflict" cases for decades without 85% of parents being Pro Se. Family
22 courts in many other states also deal with "high conflict" cases, many more
23 than Connecticut does in terms of number and volume - and yet their family
24 courts have not broken down and they do not have the same operational
25 problems we do here in Connecticut. 85% of the parents in those states are
26 not Pro Se. Their hearing wait times have not approached 4-5 months as they
27 have here in Connecticut.

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1 In fact, the term "high conflict case" is nothing more than another
2 stale divorce industry slogan that should stop being used and be forever
3 relegated to the dustbin of history. Just as the term "custody" should also
4 be forever stricken from our vocabulary and law books.

5 What caused the problems in our state's family courts is that our
6 family courts have been co-opted by AFCC members - a very small group of
7 attorneys, GALs, and "court appointed experts." These individuals have
8 worked in concert to funnel business to each other, as they are desperately
9 been trying to maintain their cash flows and lifestyles in the wake of long-
10 term aftermath of the implosion of Wall Street.

11 They are doing this because the number of parents who can pay their
12 outrageous and unrealistic hourly fees is shrinking each and every year.
13 This perfectly mirroring what happened in the corporate legal world after
14 2008 and as corporations dramatically cut back their outside counsel legal
15 spends. This small group of attorneys was left untouched by the economic
16 downturn. They seem completely oblivious to the fact that millions of
17 parents lost their jobs, lost their retirements and lost their homes during
18 the last recession - a recession unlike anyone our nation has experienced
19 before. A recession from which our state has not even come close to
20 recovering from.

21 This is what caused all of the money that once used to fuel the
22 dysfunction, to literally vanish overnight. Gone are the days when people
23 could tap easy money home equity loans, max out their credit cards, or borrow
24 money from the elderly parents to pay their attorneys and the costs the court
25 imposed on them. The same house of cards that caused Wall Street to collapse
26 - has had a ripple effect. It is what is causing the divorce industry to
27 collapse across the country today.

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