

March 9, 2015

Senator Coleman, Representative Tong and Members of the Judiciary Committee:

As a Licensed Psychologist in Connecticut, I am writing to strongly oppose HB 5505. This bill may have the intention of trying to correct some of the problems with the Family Court system of divorce but it will, in fact, create more. I will keep my statement brief but address some major points.

1. The bill would allow parents to select evaluators and even allow them to utilize therapists or other clinicians who may not be trained in the processes of custody evaluations. I am not a trained custody evaluator but I have years of experience working with families of divorce and working in the family court system with attorneys, judges, Family Relations and others.

I would not begin to profess to know or be capable of conducting a custody evaluation. The American Psychological Association has developed training criteria and ethics that regulate the process to protect families during this very stressful and difficult time in their lives. This bill would allow untrained clinicians to perform evaluations and ask parents to select clinicians not knowing what is needed to conduct a neutral evaluation and have the ability to testify in court. Would you allow someone to perform medical techniques and tests and make a diagnosis and recommend treatment that did not have the training to perform those duties?

Parents choosing their own therapists to perform evaluations and make recommendations violates the ethical code of the American Psychological Association where psychologists are prohibited from performing dual professional roles i.e. therapist and evaluator. This is in place to prevent bias and allow all involved to be assessed on equal footing. Evaluations need to be conducted by a psychologist who is neutral and can assess the family by combining their own expertise with the input he/she receives from the family and other professionals involved.

2. This bill would require all therapists and other clinicians involved with the family to appear in court to report their findings. First of all, this is expensive and logistical difficulty but even more important it violates the confidentiality of the therapeutic relationship. If an adolescent is seeing a therapist and her parents are in a high conflict divorce it would devastate the treatment and relationship to require that therapist to testify about the treatment and diagnosis against the wishes of her client. The trust in the confidentiality of the therapeutic relationship would be broken. Therapy is often a haven for the children of divorce where they have safety and security in discussing their feelings and fears as their lives change and seem to be spiraling out of control.

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There is no doubt that the family court system can evolve into a more collaborative process between attorneys and parents and mental health professionals. The movement toward mediation and collaborative divorce are fundamental for changing the way families of divorce reconfigure. This bill, although looking as if it is aimed at changing the process for the better, is another example of a disregard for the professional training and ethics involved in performing very complicated and family specific child custody evaluations and interventions. Let us have a real dialog about the process instead of trying to apply "fixes" which are ill founded and will only create more problems and eliminate the very professionals who have the experience and dedication to make the changes in a sensible and informed manner.

For each of these reasons, I am strongly urging you to oppose HB 5505.

Thank you for your time and consideration.

Sincerely,

*Elizabeth S. Thayer, Ph.D.*

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Clinical Psychologist