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Dear Senator Gerratana, Representative Ritter, and Members of the Public Health Committee,

I am writing to you concerning HB6267, proposed by Representative Srinivisan. I am a licensed psychologist in Connecticut and a significant part of my practice is devoted to working with court-involved families both in treatment and evaluator roles. I strongly oppose this bill based on the following reasons.

- 1. Forensic psychologists who are engaged in court ordered evaluations serve the best interests of the child and the Courts.** As a forensic psychologist, it is imperative that we remain neutral, independent, unbiased, and unharassed in our professional roles. By providing power and control to the very group that we are charged to assess places our professional responsibilities and services at considerable risk. By default, this places children at risk and negatively impacts the Court process which is in place to protect children. There are often serious allegations that are presented in our work (e.g., domestic violence, child abuse, sexual abuse, serious mental health issues). We need to be able to present our clinical data and formulations to the Court to help protect vulnerable children. It is imperative that the psychologist not feel threatened in his/her role. As it is, it is sadly common to experience veiled and not so veiled threats from some litigants who are involved in custody disputes.
- 2. This bill is being presented on a premise that forensic psychologists work for parents/litigants who are involved in family court and juvenile court cases.** This is inaccurate and can easily be seen under principles espoused by the American Psychological Association. In the Guidelines for Child Custody Evaluations in Family Law Proceedings [<http://www.apa.org/practice/guidelines/child-custody.pdf>], it specifically states, “Psychologists seek to maintain an appropriate degree of respect for and understanding of parents’ practical and personal concerns; however, psychologists are mindful that such considerations are ultimately secondary to the welfare of the child.”
- 3. Forensic psychologists are neutral evaluators who provide data and opinions to the Court (similar to a Guardian ad Litem and Family Relations Counselor).** One of our duties is to point out the psychological and parenting vulnerabilities of each parent and to identify the associated risks to the child. Thus, it is understandable that many litigants may feel significant upset towards the forensic psychologist (or other involved neutral professionals) following the evaluation. The very sad part of this is that the forensic psychologists do not have quasi-judicial immunity, as do Family Relations Counselors and Guardians ad Litem. This makes it even more

critical that the DPH review process not be interfered with and negatively impacted by this small, unrepresentative, dissatisfied group of litigants.

4. There is insufficient data to support any of the allegations/concerns that were presented.

The salacious, inflammatory presentation of this information online and the fact that it took over 8 months to solicit 100 online signatures are important pieces of information to consider. The one group that is able to provide actual data regarding any of the points presented within this bill is the Department of Public Health. The Department of Public Health has not presented that there are any concerns that require legislative or public involvement. If there are any issues that they are facing regarding the review process, I am confident that they will address those concerns in a manner that allows them to fulfill their professional responsibilities.

5. The sky really isn't falling. The online petition references the recent CT GAL reform bill and a "family court reform movement." It is notable that there is an assumption that a very small, yet vocal litigant group somehow represents the feelings of the larger litigant group. Again, this is based on sheer conjecture and is not based on any actual data. As a forensic psychologist, if I believed that the parent/litigant who is the most vocal and emotional in my office is the one presenting the "truth", my evaluation would be deemed meaningless and unethical. There is insufficient data to support these assertions.

6. There is an assertion that only one group must be biased. There is a request for public input into the review process of these "alleged" issues. The petition states that by psychologists reviewing psychologists' work, there is an immediate assumption of bias. However, there is no statement regarding the potential biases of the public being involved in the review of the process. If one group is potentially biased, how can the opposing group not be biased as well? Furthermore, it is customary that professionals' services be reviewed by other professionals in the same field. This is not unique to forensic psychology. For example, medical patients can't meaningfully review the medical procedures of surgeons. The same holds true for psychological services. Furthermore, as psychologists we are bound to a Code of Ethics that guides us in our professional services, including a review of other psychologists' work.

7. The reality is that families don't belong in Court. The adversarial system at large doesn't work for separating/divorcing families. I know this, as do most of my colleagues. The echoes in the halls of the Legislative Office Building reflect this. However, a small group of litigants is focusing a lot of energy on negative attacks on neutral professionals and groups. For some reason they believe this will cause reform. I am not sure how that conclusion is being reached since by then damage has already been done. Adding more damage doesn't equal anything positive. It just means more damage.

Rather than the focus continuing to be on attacking the neutral individuals/professionals who are working with these families (and this group trying to find ways to be more effective in their attacks on these individuals/professionals), it would be a much more productive conversation to have everyone come together to discuss different dispute resolution processes and models that can hopefully be helpful to court involved families. That is a discussion that everyone would

likely agree is an important and useful one (litigants, professionals, and Courts). Nonetheless, ultimately, there will always be individuals and families who still can't benefit from a low conflict dispute resolution process, and those will be the ones who will still need Judges to decide the fates of their families. There is a reason for that. Those cases are often the ones that present with the most serious pathology and the most severe allegations. Please consider those reasons as you consider this potentially destructive bill.

Thank you for your consideration of this written testimony.

Warmest Regards,

A handwritten signature in black ink, appearing to read "Linda S. Smith, Ph.D.", written in a cursive style.

Linda S. Smith, Ph.D.