

TESTIMONY IN FAVOR OF BILL 5505- LOOK AT LAWYERS DESPERATION AS THEIR FINANCIAL SECURITY FROM UNSUSPECTING LITIGANTS IS SHAKEN:

From: <[palmer@halloransage.com](mailto:palmer@halloransage.com)>Date: Monday, March 9, 2015Subject: A Call to ArmsAttorney Conlon has asked me to forward this e-mail to the membership.Please read and forward to as many family law professionals as you can. This is how they got the GAL bill past us last year and we cannot let it happen again. We need to call as many members of the Judiciary committee on Monday and Tuesday of this week! Below is a list of lawyers on the Judiciary Committee. They are the ones we should target about this assault on our practice. We cannot let this go unanswered. I have included some other things that we can do as individuals to get this message out that we will not stand for this anymore.The legislature continues to work to destroy Family Law practice and procedure are back with a REALLY REALLY BAD bill. On Thursday, March 5, 2015, the bill was introduced in the legislature on Thursday. On Friday, March 6, 2015, it was assigned for a PUBLIC HEARING ON WEDNESDAY, MARCH 11 at 10:30 a.m.. Here is the bill:<http://www.cga.ct.gov/2015/TOB/H/2015HB-05505-R01-HB.htm>This bill is not child focused. The bill adds costs to the dissolution process and gives the spouse with more money the upper hand in child custody case.The first section ties the hands of the family court from ordering supervised visitation unless 1) DCF substantiates abuse or neglect; 2) a parent does not have an established relationship with the child; 3) a parent engages in criminal conduct that presents a potential risk to the health, safety and well-being of a child or 4) suffers from a severe mental disability that presents a potential risk to the health, safety and well-being of a child.The second section allows civil lawsuits to be filed by parents aggrieved by the action of counsel or guardians of the minor children in complete disregard for the decision in Carrubba v. Moskowitz, 274 Conn. 533 (2005), which established absolute immunity for AMCs and GALs acting within the scope of their appointed duties because "a substantial likelihood exists that subjecting such attorneys to personal liability will expose them to sufficient harassment or intimidation to interfere with the performance of their duties" and "they perform functions integral to the judicial process in carrying out the purpose of C.G.S. §46b 54 to assist the court in determining and serving the best interests of the child." Courts in other jurisdictions have almost unanimously found that AMCs and GALs have absolute immunity.The third section requires the Court to permit a parent ordered to undergo mental health treatment or evaluation to choose their treatment provider or evaluator. It also requires the court to permit the parent or legal guardian to choose the treatment provider or evaluator for any child ordered to therapy or evaluation. Finally, it requires an mental health evaluation to be submitted to the court within 30 days from the date of the completion of the report. As currently written, it allows any licensed healthcare provider, which includes pharmacists, to conduct an evaluation or treat an individual for any manner of treatment. It is not limited to mental healthcare providers. Further, it would allow each party to retain their own expert resulting in a battle of the experts. There would be no single individual who could conduct interactional studies and it would result in the court hearing from 2 hired guns as opposed to a neutral expert simply reporting results to the court. As to submitting the reports to the court within 30 days, this would put sensitive and potentially humiliating information about the parties and more importantly, their children in the public record.The fourth section limits the ability of the GAL to provide the court with information about a child's mental health and health conditions. Connecticut case law provides that, where a GAL has been appointed for a child in a contested custody

matter, the GAL is the appropriate person to exercise or waive the child's privilege. These provisions would eliminate a source of critical information regarding the child's best interests from being reported to the court without the necessity of calling the child's therapist as a witness and thereby compromising the child's confidentiality and therapeutic relationship. This bill would require all of the medical professionals involved in a child's life to appear in court to testify about the child, instead of letting the GAL report his or her findings. This adds another expense to the court action as any medical professional would expect to be paid for the time away from their practice. It is likely to result in the court not hearing critical information.

1) CALL, WRITE, EMAIL, VISIT AS MANY LEGISLATORS ON THE JUDICIARY COMMITTEE AS POSSIBLE, ESPECIALLY IF YOU KNOW THEM OR LIVE OR WORK IN THEIR DISTRICTS. TIME IS OF THE ESSENCE. See below for contact info.

2) Show up on March 11 and testify in person. The hearing will be in room 2E of the Legislative Office Building. Here is how to find the LOB: <http://www.cga.ct.gov/asp/menu/DrivingDirections.asp> Here's how to testify: If you know you can come, and you can stay all day if necessary, let me know before Wednesday and we can get you signed up early in the morning to testify. Public speaker order will be determined by a lottery system and maybe you'll get out early. Or maybe not. If you can only come later in the day, there will be a sign-up list near one of the doors to Room 2E. Sign up at the end of the speaker list. Either way, submit your written testimony (less than 5 pages) before Wednesday at 10:00 a.m. Please email written testimony in Word or PDF format to [JUDtestimony@cga.ct.gov](mailto:JUDtestimony@cga.ct.gov). Testimony should clearly state testifier name and related Bills. The first hour of the hearing is reserved for Legislators, Constitutional Officers, State Agency Heads and Chief Elected Municipal Officials. Speakers will be limited to three minutes of testimony. The Committee encourages witnesses to submit a written statement and to condense oral testimony to a summary of that statement. All public hearing testimony, written and spoken, is public information. As such, it may be made available on the Judiciary Committee's website and indexed by internet search engines. Bring something to do. It could be a long day.

3) If you can't show up in person, submit written testimony. Here's how: Please email written testimony in Word or PDF format to [JUDtestimony@cga.ct.gov](mailto:JUDtestimony@cga.ct.gov). Testimony should clearly state testifier name and related Bills. Whether or not you can come in person or submit written testimony, CONTACT THESE MEMBERS. Here's the list of the lawyers on the committee and their contact information: [William.Tong@cga.ct.gov](mailto:William.Tong@cga.ct.gov) – 860-240-0530 [Coleman@Senatedems.ct.gov](mailto:Coleman@Senatedems.ct.gov) – 860-240-0530 [John.A.Kissel@cga.ct.gov](mailto:John.A.Kissel@cga.ct.gov) – 860-240-0530 [Rosa.rebimbass@housegop.ct.gov](mailto:Rosa.rebimbass@housegop.ct.gov) – 860-240-0530 [David.Baram@cga.ct.gov](mailto:David.Baram@cga.ct.gov) – 860-240-8500 [Doyle@senatedems.ct.gov](mailto:Doyle@senatedems.ct.gov) – 860-240-8600 [Dan.Fox@cga.ct.gov](mailto:Dan.Fox@cga.ct.gov) – 860-240-0530 [Richard.Smith@housegop.ct.gov](mailto:Richard.Smith@housegop.ct.gov) – 860-240-8700 [Cecelia.buck-taylor@housegop.ct.gov](mailto:Cecelia.buck-taylor@housegop.ct.gov) – 860-240-8700 [Arthur.oneill@cga.ct.gov](mailto:Arthur.oneill@cga.ct.gov) – 860-240-8700 [Tom.odea@housegop.ct.gov](mailto:Tom.odea@housegop.ct.gov) – 860-240-8700 [Doug.dubitsky@housegop.ct.gov](mailto:Doug.dubitsky@housegop.ct.gov) – 860-240-8700 [Bob.godfrey@cga.ct.gov](mailto:Bob.godfrey@cga.ct.gov) – 860-240-8500 [John.shaban@housegop.ct.gov](mailto:John.shaban@housegop.ct.gov) – 860-240-8700 [Steven.stafstrom@cga.ct.gov](mailto:Steven.stafstrom@cga.ct.gov) – 860-240-8500 [Stephen.harding@housegop.ct.gov](mailto:Stephen.harding@housegop.ct.gov) – 860-240-8700 [David.labriola@housegop.ct.gov](mailto:David.labriola@housegop.ct.gov) – 860-240-8700

TESTIMONY IN FAVOR OF 5505- submitted to show what an outsider with out financial Interest sees in CT.

Connecticut Court Embarrassment Posted on Mar 6, 2015 in ***Connecticut, Feature, Safe Homes***

Connecticut Family Court's embarrassing response to abused mothers and children

By Evan Stark

The response by Connecticut Family Courts to abused and protective mothers and their children is remedial, punitive and a public embarrassment, particularly given the State's pioneering role in protection orders, court-based advocacy, mandatory arrest, specialized law enforcement and training for health, child welfare, police and family relations professionals. Once a model for surrounding states, Connecticut's piecemeal reforms have left a widening gap between the Family Court response, reform in other states and best practice recommendations by major professional organizations such as the National Council of Juvenile and Family Court Judges.

Family courts in Connecticut are a strange animal. Singularly insulated from public accountability, they must reconcile special interests represented by a predatory Family Bar; law guardians whose power and fees are inversely related to their knowledge or training on child or family welfare; an army of quasi-therapeutic professionals; and a clientele whose money motivates hyper- extended litigation, however frivolous, and ensures that substantive concerns for safety, justice, fairness and the like are trumped by so-called "equity." Add Father's Rights groups to the mix, a state domestic violence coalition justly afraid of biting the hands that feed their programs and legions of "irrational" mothers whose fury at losing children to abusive partners is hard to contain in legislative hearing rooms, and the prospects for reform are not bright. Taken together, individual grievances add up to systemic bias. But grievances are rarely added.

Partner abuse is the most common issue in disputed custody cases (affecting more than 50% of cases) and, because of how it affects children, risks to non offending parent and child after separation or divorce and the poor prognosis for offenders, it is also the most important issue. This is why Congress advised and the majority of US states (and all of Europe) responded by giving or recommending the presumption of full custody to

non-offending mothers when there is evidence of abuse. As the last of two states to respond, Connecticut asks its Family Court to merely consider domestic violence among myriad other “risks,” sending a clear message of its unimportance not lost on the judiciary.

In addition to favoring custody for non-offending parents, Connecticut should:

**Broaden** the definition of domestic violence in restraining orders, criminal law, and family proceedings to include economic, emotional, legal and sexual as well as physical abuse (VT; TX, all of Europe);

**Ban testimony** on PAS as junk science (alienation) (National District Attorney’s Association);’ require annual domestic violence training for family judges and some certification or training for any evaluators in dv cases (NJ);

**Hear** DV evidence before custody case, prioritize child safety alongside best interest and prohibit punitive action against protective mothers (Colorado);

Consider evidence of coercive control—the best predictor of post-separation abuse—grounds to strictly limit access by the offending parent (Arizona.).

**This is a minimalist agenda needed to open the conversation about what it would mean for the Connecticut Family Court to respect the safety, dignity, autonomy and liberty of non-offending parents and children in our state.**

**THE FOLLOWING PHOTO IS A JUDGE AND FORMER GAL REFUSING LITIGANTS TO SEE THE WORK PRODUCT THEY ARE PAYING FOR!**

DOCKET NO: FBTF054005711S

SODERLUND, MARISA S.  
V.  
SODERLUND, KARL E.

SUPERIOR COURT ORDER 429706

JUDICIAL DISTRICT OF FAIRFIELD  
AT BRIDGEPORT

12/11/2014

ORDER

ORDER REGARDING:  
11/21/2014 266.00 MOTION TO VACATE ORDER

The foregoing, having been heard by the Court, is hereby:

ORDER:

(#266.00) is denied. The Court is going to allow copies of the GAL file to be made. The copies shall remain with counsel. No copies of any content from the GAL file shall be given to the clients. The clients shall have every right to read it, review it, and discuss it with counsel. Under no circumstances shall any portion of the GAL be given to anyone else, posted on any social media or disseminate in any fashion.

429706

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Judge: GERARD I ADELMAN  
Processed by: Laura Miller

Submitted by Anonymous Concerned Citizen