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

March 9, 2015

I am a resident of the 22nd district and am a psychologist in private practice in Westport for nearly 15 years. I am writing in opposition to HB 5505 (An Act Concerning Family Court Proceedings). Psychologists who serve as Guardian Ad Litem and who conduct evaluations as evaluators or act as court involved therapists do so based upon their state licensure and duty to abide by ethic codes of conduct for Psychologists and adhere to established and accepted guidelines for how to perform this psychological work. These tasks require Psychologists to act as impartial, unbiased, neutral, and objective professionals to any proceedings. As a result, quasi-judicial immunity is required since it is always possible, if not likely, that some party to the matter will be displeased with the reports, recommendations, or expert opinions of the Psychologist. To allow and even codify in statute the ease with which a disgruntled party may pursue civil action against such a professional acting in good faith is unfair and unreasonable.

Further, evaluations conducted by Psychologists as well as psychotherapy and counseling provided by Psychologists and other mental health professionals working as court involved therapists requires that those individuals take a neutral stance in the matter with the knowledge of all parties involved that these individuals will be providing objective data to the Court for use in resolving the matters before the Court. This is wholly different from an individual who seeks counseling services of their own interest and accord. In that case, a Psychologist or other mental health professional selected by the parent generally becomes that person's advocate and a consistent and reliable source of support to them and will release data about the client or the psychotherapy only with the expressed and specific permission of the client to do so. This typically means then that only positive information for the client will be shared.

It is also extremely unreasonable to limit an Attorney or GAL's ability to deliver information to a Court matter regarding a medical diagnosis or conclusion of a health care professional since such would add great expense to and significantly delay the process by requiring Psychologists and others professionals to attend such hearings, etc. in matters where they are otherwise not needed on a given day.

Thank you for your consideration of my concerns offered in opposition to HB 5055. I hope you will conclude that the recommendations of the bill are not reasonable and ultimately represent further attempt by a small minority of dissatisfied Family Court litigants to manipulate the Legislature to pursue an irresponsible and highly personal agenda. Please do not allow this to occur.

Sincerely,

Ralph P. Balducci

