

Written Testimony from Jane Doe

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H.B. 5505

I support this bill.

I have listened to others testify throughout the day. I get very disappointed when I hear the for profit, hourly, private paid circle of excellence professionals speak so dishonestly especially after the emails and commentary circulated between themselves and the CT Law Tribune this week. I took the training in 2012. I am on the list of GALs. I have been since early 2013 and have never been given a case. I would happily take a case and help a family and children and would do so at state rates which I was denied approval when I applied. I would take on cases pro bono EVEN if I didn't have immunity. I don't think as many cases that are getting appointed GALs need them so the pool of GALs decreasing isn't an issue I see when I hear these Judges buddies complaining. I am a professional. I am covered by Errors and Omissions insurance in my full time line of work. I love the work I do and when you are a professional and you love what you do lack of immunity does not become a deciding factor in what you choose to do. You do it because you want to be the best and do the best you can at what you do. It seems if you give immunity you take away the ethics. Every time these same against family court reform elite circle talk they blame the parents and families that they represent. The same ones that pay them that they are supposed to help they put down. They call their payroll disgruntled litigants. They say they are high conflict. I disagree. They are passionate loving parents that want a relationship with their child(ren). If they were effective in their line of work they would have the tools to stop the conflict. They would find a way to compromise so there is no one disgruntled. They'd manage the cases like leaders do. Like professionals. Disgruntled is someone that is extremely unhappy not someone that had to give up a little something to get a little something. If they truly practiced mediation practices as they say they do they would know that it's not all or nothing like they are leaving many parents in Connecticut at this time. I say many because these parents aren't networked in a Bar or professional network that they can't send out a mass email and rally over 100 people in 48 hours that can call out of work last minute to show up and testify like we see time and again on these bills. These are different families. Different professions. Not linked by Bar or Association showing up to testify with more people than what showed up for common core or any other highly publicized and media covered bill. Why? Because this change needs to happen! One parent shouldn't have all the access while the other has supervised pay-per-view access. I mean most of the time these parents had no problems spending time with their children while they were married why in divorce do they all of a sudden become bad parents? Why would a dad that lives fulltime with 2 children not see his son from a previous marriage for 6 years and he's in court with a divorce agreement and a parenting agreement asking for help with a motion for contempt? Why would he need an evaluation? He parents 2 children fulltime why would he have a problem for a weekend? How about a mom that had a healthy pregnancy that breast fed and raised a healthy loving child? Why would she have to pay for supervised visits and if she can't afford them she doesn't get to see her child?

Did I mention she was a stay at home mom and now has to afford her own home in a safe neighborhood and pay child support and qualifies for husky but dad is wealthy so they do not qualify for state rate GAL or supervised visits? How about before the visits can start she has to pay for an evaluation to make sure the child is resilient enough to be around her? Oh and she gets one 1 hour visit every 2 weeks and they may be able to increase after 10 visits but dad doesn't bring the child to all the scheduled visits and she has to pay for the 1 hour scheduled time he doesn't show up for? That's what these quasi immunity court appointed people are doing to families and it only takes 1 party in the case to cause conflict and dig their heels in and then the other parent has hold on for the ride.

Let's be clear.... There are judges telling parents they cannot pick someone from their insurance. They are telling parties, "this is my colleague and I would trust him with my own son you don't get a say you have to use him." They will not allow parties to walk out of the courtroom to call their insurance to see if the doctor the Judge picks is on their healthcare plan. Oh and EVEN if they are on the plan you get to the Dr. and surprise he or she tells you they don't accept insurance on court appointed cases. They even say it's against the law. It's cash, check, credit card, or money order up front or no service. The judge tells you he can't move forward without it and the parent wishing to see the child pays 100% because the other parent won't pay and he can't move forward without it. The GAL tells you that don't have the alphabet soup at the end of their name to tell the judge what they think and therefore the PhD is required. The PhD tells you they can't give a written evaluation. The GAL does not give a written report and the parties are stuck with chamber calls to the judge and secret meetings. After the evaluation a new doctor is required for the first reunification visits but they aren't a therapist if you need anything beyond that you are on your own.

The pro se issue Rep R stated that there are wonderful resources for parties that can't afford an attorney and I beg to disagree. If a person calls Legal Aid with a family matter they are told they do not offer assistance for those types of cases. There is not a lawyer out there that is willing to take on a Pro Bono Family case and I challenge the panel to prove me wrong and give me a list. The reason? They take too long! Even on post judgment and on contempt motions. If you take out the immunity and set time limits you'd see more families getting the help they so desperately need and more providers offering pro bono service as well as a decline in domestic violence and other sad situations.

Picking apart the bill... There isn't much it is a great second part to the beginning of positive change for families!

Part 1 I can't think of why you'd need supervision for visitation if none of those factors existed? Unless the child is in danger there should be no reason for them to be watched. Were they watched when they were married in the home? Is that natural? Would you want that just because your marriage failed? That money can be better spent on making memories and building positive memories for the child and their wellbeing.

Part 2 I think this need to happen so the court appointed professionals act professionally. In too many cases I'm seeing GALs/AMCs with conflicts of interested such as the ward sleeping over their house. I've also known of the GAL/AMC going to family gatherings and social gatherings with one of the parties

which I make these statements having evidential proof and examples if asked to provide. I hope for the family and children that I know this happened to this law can be retroactive or with a 10 year statute of limitation so that some closure can happen for the people already destroyed by the inner circle.

Part 3 Yes! Why aren't they taking insurance? Why are they being appointed if medical attention / behavioral health concerns aren't a factor? Is the state missing out on tax revenue or paying professionals with state money or grants and they are getting paid by the parties as well? Can we be sure of that if they are submitting claims to insurance companies?

B Is fair and 2 weeks isn't nearly as long of a time period as the multiple continuances that happen between counsel and the court appointed professionals.

C Written is a must! Why force the family to undergo and pay if there is nothing on paper for the judge to see? It should be under seal only for the parties to review much like the financial affidavit. I think if parties select the professional and they are taking insurance there is no need for them to come on the stand to be proved an expert. Only if results are contested do I feel they need to come to court if they don't have immunity and they do a fair and unbiased evaluation I don't think there will be many "disgruntled" litigants contesting.

D Yes I know cases where the GAL is the fee collector that says they are the eyes and ears but don't report back they refer back or recommend professionals increasing cost bankrupting families to help their friends out. The only thing I don't think a GAL should report back is lies and diagnoses.

The only thing missing is time limits! A parent and child (unless the parent's rights are to be terminated) should never go longer than 6 months without seeing each other or having contact. Never ever ever should this be the case. Just like child support should never fall more than \$2,500 or more in arrears or else penalties start to become emanate and severe like fines and jail and driver's license taken away... If this happens fines should be opposed on the parent not encouraging, enforcing, following through with the parenting plan it should never ever ever be the child's fault. "The child didn't want to" "I couldn't force them" should not be an acceptable excuse ever in family law unless there is evidence of current harm or damage to the child by doing so. A phone call never hurts or is it damaging. The best interest of the child is more often than not a relationship with BOTH parents. If this is the focus of GALs and family court then there is no worry about immunity and there is no worry about disgruntled. I know parents in the highest conflict and if they each had time with the child they may not be super happy but they could walk away and not be disgruntled. The conflict would be over just with feasible contact for both parties with their child.