

H. Morera March 11, 2015 Judiciary Committee Public Hearing Testimony in Support of Bill HB5505  
TESTIMONY BEFORE THE JUDICIARY COMMITTEE - PUBLIC HEARING ON PROPOSED  
BILL HB-5505 - AN ACT CONCERNING FAMILY COURT PROCEEDINGS

Judiciary Committee  
Room 2500, Legislative Office Building  
Hartford, CT 06106

Wednesday, March 11, 2015

Dear Members:

Good morning, my name is Hector Morera and I am here to speak in support of HB 5505, An Act Concerning Family Court Proceedings

First, I would like to thank Rep. Gonzalez for sponsoring this bill, the co-chairs Sen. Coleman and Rep Tong for placing this bill before the committee and for all members of the committee for voting to place the bill for Public Hearing and affording me the opportunity to speak before you today.

In general the requirements outlined in the Bill provide sorely needed guidance to the Family Courts in regards to various issues. I have witnessed abuse of gross judicial discretion in regards to these issues. I will outline some of those abuses in my written and oral testimony.

In regards to Section 1, concerning placement of limitations on ordering supervised visitation, despite the many efforts of the legislature to create statutes that provide equitable treatment of litigants in Family Court proceedings, I have seen a small group of individuals wield unhealthy influence over the CT Family Court system. These individuals appear to act under the guise of the best interest of the child standard but in reality more for their own best interest and to cater to potential clients who do not wish to uphold the equitable statutes created by the legislature and would rather choose to punish the other party regardless of the negative effect on the children. As such I have seen many unethical tactics used to place one parent under Supervised Visitation despite any true findings of a threat to the well being of the children. Some unethical and illegal tactics successfully used include the following

- a. False testimony concerning the person's mental health capacity. In my particular case, I provided testimony to the Judiciary Committee on February 19, 2014 and the Public Health Committee on February 20, 2015 (copies of this testimony are attached) concerning this tactic. A complaint was filed with the US DOJ concerning this illegal discrimination of a person with a "perceived" disability. Despite my best efforts to prove that the allegations were false (see Attachments A through E), the court in what appears to be an attempt to cover up the negligence of the GAL chose to continue to restrict my access to my children despite the overwhelming evidence against it.
- b. A **false** amber alert was used in another case to place a mother under supervised visitation for 11 months. That is a life time for a 4 year old child. That child is just now getting over the trauma of having his mother removed from his life by this unscrupulous act by one party in the divorce as supported by his attorney.
- c. Conflict creation is another tactic used quite often. One party with assistance of their counsel will file a large number of vexatious motions to cause undue duress to the other party. In addition, I have seen GAL tactics in which they pit one party against

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the other by sending separate emails to the party about allegations each party supposedly lays against each other.

- d. False arrests. There are certain Family Court attorneys who use their influence with local police departments to have one party arrested for minor and petty things such as sending an email that technically can be blocked with a simple spam filter or completely fabricated allegations. The Family Court attorney will subsequently use the arrest as leverage to place one party under supervised visitation despite the fact that the arrest had nothing to do with the children's well being in the first place.
- e. False accusations of substance abuse.
- f. In one case in Stamford, a rich litigant used his influence with the GAL to have the GAL place a parent under supervision using a FRAUDULENT psychological evaluation. The GAL and Judge involved (a presiding one no less) subsequently learned that the evaluation proffered was fraudulent but refused to remove the parent from supervised visitation.

Once one parent is placed under Supervised Visitation inappropriately, the other parent may use this opportunity to destroy the bond between the parent placed under supervision and the children, saying things like "mom/dad is a bad person; that is why she/he must be supervised". This goes against CGS 46b - 56 (c) (6). But it is routinely overlooked by our courts and the GAL's appointed in these cases. I have witnessed these first hand in over a dozen cases. This is then compounded by the humiliating treatment that the parent under supervision receives from the supervised visitation facility which many times leads to further degradation of the parent-child relationship.

Although not specifically covered in this legislation, it should be noted that there are no set standards in the State of CT for supervised visitation. As such the standards vary wildly throughout the state by each facility making it difficult to enforce proper supervision. California has a set of standards which appear to cover adequately most of the issues associated with supervised visitation.

In regards to Item 2, concerning removal of immunity for GALs/AMCs in Family Matters, on March 31, 2014, I testified before the Judiciary Committee in support of the bill which eventually would become PA 14-3. In my testimony I pointed out that many GAL's violated criminal statutes. However, NOT one complaint against a GAL has been every been substantiated by the Statewide Bar Counsel, Statewide Grievance Committee, nor the State's Attorney. The mechanisms created within our government and PUBLIC entities to protect the greater public have failed in their responsibilities. In addition, the dissenting opinion of the Carubba v. Moskowitz decision noted that by assigning immunity to GAL's and AMC's in Family Court matters, the Supreme Court of CT would be exceeding its authority and creating legislation where no legislative authority exists within the Judicial Branch. This is absolutely TRUE as CGS 4-165 clearly only gave immunity to state actors in Juvenile Court matters, not Family Court. A complete lack of accountability exists within the Family Court system and this allows certain individuals to engage in unethical acts. As such, if the government entities created to protect the greater public refuse to provide that protection against misdeeds of certain individuals, then the public must be allowed a mechanism to pursue grievances and in effect hopefully bring a semblance of accountability to a system out of control. In addition, it should be noted that there are other states that have successfully removed GAL immunity without the so called negative effects that the detractors of this bill claim. I would refer you to the many testimonies given by Peter Szymonik who has made this point to the legislature numerous times.

In regards to Item 3, concerning allowing the parents to choose the appropriate therapist, I feel this is necessary as it appears that, much like GAL selection by the court, a small group of insider individuals get the bulk of the work. I sent the Judiciary and Public Health Committees an email late Monday night outlining one example in which a selection of a particular mental health professional by the court appear to have hurt the children involved. It should be noted that the bulk of the testimony provided by a group of mental health professionals against this bill is mainly against this section. I contend this is purely for economic reasons as they fear losing their foothold control of the lion's share of Family Court work. It is time that competition for good services yield to better services. In addition, I have submitted a petition to the Public Health Committee asking that the complaint procedure and better enforcement of standards be put in place for mental health professionals who perform work within the Family Court system. Please refer to my testimony on behalf of HB 6267 and petition, both of which are attached to this testimony.

In regards to Item 4, concerning not allowing the GAL to speak on behalf of the mental health professional of the children, there are many allegations of a GAL perjuring themselves about alleged conversations with a mental health provider while under oath on the stand. GAL's are the only individuals who are allowed to admit hearsay into evidence. Sadly it appears that this power which they have been given by our courts appears to be abused time and time again. In one case, a GAL claimed to have spoken to a mental health professional on the case when in fact the GAL did not speak to the professional. The GAL was under oath and as such his testimony was perjury. However, despite proving that the GAL in fact committed perjury, the Court chose to give more weight to the GAL's testimony than that of the litigant. In addition, when the litigant attempted to impeach the credibility of the GAL in testimony provided in subsequent hearings based on the previous perjury, the Court got very mad at the litigant for exercising her right to impeach a witness and proceeded to scream for a long period at the litigant. I witnessed this first hand as I went to court with the individual. The Judge's actions in this matter lead me to believe that the court is willfully covering up the illegal acts of certain individuals for whatever reason.

It should be noted that the mental health professionals who spoke out against this bill did not argue against Item 4 as it means more money for them to go to court to testify. They mainly argued against Item 3 as noted above. I contend this further supports my position that their testimony is driven by economic concerns not the best interests of the child standards.

Again, I can not stress this enough that any criticisms which I make in my testimony is not intended to be an attack on every individual who operates within the family court system but mainly that small group who choose to operate in an unethical manner and tarnish the overall reputation of the Family Bar. It would be more appropriate that the CT Bar spend time criticizing their colleagues who tarnish their profession rather than attack the few souls brave enough to stand up and point out the problems created by these individuals.

As a final note, I would also like to express my disappointment with the Judiciary Committee's decision to limit the size of testimony to be placed online to only 5 pages. I believe the public has a right to know what is going on. Public exposure is the best way to end corrupt practices. I believe restricting the public's access to this information is not in their best interest.

Hector Morera  
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Glastonbury, CT

**List of Attachments in Hard Copy Distributed to Judiciary Committee Members**

1. Email from Hector Morera to Public Health and Judiciary Committee Members dated March 10, 2014 discussing the testimony provided by Dr. Stephen Humphrey.
2. Public Testimony provided by Hector Morera before the Public Health Committee on February 20, 2015.
3. Public Testimony provided by Hector Morera before the Judiciary Committee on February 19, 2014.
4. Attachment A – GAL Affidavit of August 9, 2013
5. Attachment B – Judge Carbonneau's Ex Parte Order from August 9, 2013
6. Attachment C – Objection to 8/9/13 Ex Parte
7. Attachment D – Motion to Strike and Memo of Law to strike GAL 8/9/13 affidavit
8. Attachment E – Motion to Vacate 8/9/13 Ex Parte Order
9. Petition asking the Public Health Committee to create task force to study complaint procedure for mental health professionals

**Subject:** Comments on Dr. Stephen Humphrey's Testimonies before judiciary and Public Health Committees

**From:** Hector M (hecbridge1@yahoo.com)

**To:** Eric.Coleman@cga.ct.gov; William.Tong@cga.ct.gov; Doyle@senatedems.ct.gov; dan.fox@cga.ct.gov; John.A.Kissel@cga.ct.gov; rosa.rebimbas@housegop.ct.gov; Al.Adinolfi@housegop.ct.gov; William.Aman@cga.ct.gov; Angel.Arce@cga.ct.gov; David.Baram@cga.ct.gov; Jeffrey.Berger@cga.ct.gov; Toni.Boucher@cga.ct.gov; cecilia.buck-taylor@housegop.ct.gov; Beth.Bye@cga.ct.gov; Vincent.Candelora@cga.ct.gov; christie.carpino@housegop.ct.gov; Jeff.Currey@cga.ct.gov; Patricia.Dillon@cga.ct.gov; Doug.Dubitsky@cga.ct.gov; mae.flexer@cga.ct.gov; Mary.Fritz@cga.ct.gov; Gerratana@senatedems.ct.gov; Bob.Godfrey@cga.ct.gov; Minnie.Gonzalez@cga.ct.gov; Ernest.Hewett@cga.ct.gov; David.Labriola@housegop.ct.gov; Roland.Lemar@cga.ct.gov; Art.Linares@cga.ct.gov; Ben.McGorty@cga.ct.gov; Michael.McLachlan@cga.ct.gov; Bruce.Morris@cga.ct.gov; tom.odea@housegop.ct.gov; Arthur.O'Neill@housegop.ct.gov; Robyn.Porter@cga.ct.gov; emmett.riley@cga.ct.gov; Robert.Sampson@cga.ct.gov; Joseph.Serra@cga.ct.gov; john.shaban@housegop.ct.gov; Caroline.Simmons@cga.ct.gov; richard.smith@housegop.ct.gov; Joe.Verrengia@cga.ct.gov; Toni.Walker@cga.ct.gov; Gary.Holder-Winfield@cga.ct.gov;

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**Date:** Tuesday, March 10, 2015 12:30 AM

Dear Members of the Judiciary and Public Health Committees,

In all of the testimony I have given these past 18 months, I have tried my best to focus on the generalities of the issues I have encountered with the Family Court and have tried to stay away from providing testimony that can be construed as a personal attack on an individual as I feel that is not productive. I have also tried to see the other side's point of view.

However, I feel it is important that I share with you my concerns that I feel call into question the credibility of any testimony provided by Dr. Stephen Humphrey on HB-5505 for the 3/11/2015 hearing and on Bill HB 6267 given previously.

Dr. Stephen Humphrey did the evaluation on my case in 2011. Subsequent to his evaluation, I asked the courts for discovery to refute what I contend are inaccurate statements in his evaluation. The court refused my requests for discovery. Two of the motions I wrote requesting discovery were included in my January 9, 2014 testimony before the Task Force on Child Custody and can be viewed online.

I talked about the issue of the court routinely denying Pro Se's request for discovery in my 2/14/2014 testimony before the Judiciary Committee. Other persons discussed this very same issue before the Supreme Court and Rules Committee hearings in 2014.

You heard the screaming and crying of my poor little girl on the recording that I played at the end of my March 31, 2014 testimony before the Judiciary committee. Dr. Humphrey knew of this tape and other recordings and willfully concealed it from the courts. Why did he not include that in his evaluation or testify about it? I contend that his objectivity was influenced by the GAL and my ex-wife's lawyer as I was a

<https://us-mg5.mail.yahoo.com/neo/launch?.rand=cstv2e21dn1df&th=0&t=1426062602>

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self represented at the time. The Court refused my request to submit this recording and other evidence I contend contradicts his report into evidence.

In addition, some time later I discovered additional evidence on an old backup CD to refute other portions of the evaluation that Dr. Stephen Humphrey performed on my case. The only reason I have not placed his evaluation and the evidence I have obtained to refute the accuracy of his evaluation on the internet is that it is of a personal nature and have tried my best to keep things of this nature off the internet and minimize harm to my children from publicly testifying about issues with Family court. But I have shared his evaluation with numerous persons and they have questioned it's construct and contents. I will bring a copy of his evaluation and the proof I contend discredits his evaluation and supports my position that Dr. Stephen Humphrey's objectivity was swayed by the GAL on my case, the very same concerns that he brings up in his testimony.

I did not select Dr. Humphrey for my case. The Court and GAL on my case selected him. I contend that was intentional. Based on court watching over 30 cases this past year, it is my contention that mental health professionals from time to time are negatively influenced by the family court vendors. Please refer to the attached petition circulated previously.

It is crucial that Bill HB 5505 be passed as is (as well as HB 6267) to allow the parents to select an independent evaluator that is NOT beholden to court vendors for repeat business.

Thank you as always for your time and consideration.

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<https://us-mg5.mail.yahoo.com/neo/launch?.rand=cstv2e21dn1df&th=0&t=1426062602>

3/11/2015

H. Morera February 19, 2014 Judiciary Committee Public Hearing Testimony  
TESTIMONY FOR JUDICIARY COMMITTEE PUBLIC HEARING

Joint Committee on Judiciary  
Room 2500, Legislative Office Building  
Hartford, CT 06106

Friday February 19, 2014

Dear Judiciary Committee Members:

Good morning and thank you for affording me the opportunity to speak before you today. This is the 4<sup>th</sup> time I have testified since January 9, 2013 about the issues concerning the Family Courts. I refer you to my written testimony from January 9 and February 14 public hearings which were submitted to the judiciary previously.

I am here to speak in general about some of the failings of the court system as allowed by Family Court judges and which have been brought to the attention of the Judiciary numerous times in the past by various parties. Many of these concerns are outlined in Federal lawsuits filed against the Connecticut judiciary. It is incumbent that the Judiciary committee look into the seriousness of the allegations made in these lawsuits and the many complaints made to the US Department of Justice.

For example, despite the Judicial Branch's claim to be ADA compliant, ADA violations are rampant in the Connecticut Judiciary. One form of ADA violation is the rampant violations of the Prong 3 test of the ADA by the Connecticut Family Court. Judges routinely exceed their authority by diagnosing a party with a false mental illness despite testimony to the contrary. The persons who are falsely accused are otherwise productive members of society. They are engineers, lawyers, teachers, etc. who contribute daily to our society as a whole by volunteering at church, PTO, Girl Scouts, Boy Scouts, etc. But when they walk into a Family Court, they are deemed unfit due to so-called hidden mental illness with which the court deems suitable to diagnose the party.

In my case in particular, on August 9, 2013 the GAL in my case falsely accused me of having a mental illness. This required that I pay for a psychiatrist to evaluate me and produce a report and to pay for a mental health professional to testify on my behalf on August 29, 2013. Yet despite the testimony provided to the contrary, both the GAL and judge insisted that I be evaluated by one of their "friends" if I am to ever see my children again. The GAL's and judge's statements are in writing and irrefutable. I will gladly provide you any documentation you require.

In another particular case with an egregious abuse of ADA protection by a CT judge, it is my understanding after reading the 2012 judgment written by Judge Munro, Ms. Susan Skipp was falsely accused of having an undiagnosed mental illness by Judge Munro. The judgment written by Judge Munro is seriously flawed. First and foremost is that Judge Munro is not a qualified mental health professional to make such determination. In addition, Judge Munro makes many spurious statements in her judgment to support her false allegations. For instance, Judge Munro accused Ms. Skipp of harassing her ex-husband due to her undiagnosed mental illness as evidenced by Ms. Skipp allegedly sending 20+ emails per day for approximately 13 months to her ex husband for an approximate total of 540 emails in that time. I understand that judges are not hired for their math skills. But anyone can easily see

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that a total of 540 emails over approximately 400 days is NOT 20+ emails per day. It is approximately 1.3 emails per day. This is a very normal amount when children are involved and two parents living in separate households are trying to coordinate issues with the children. Never mind that it is nowhere near Judge Munro's estimate of 20+ emails per day. Yet, Judge Munro used this clearly false allegation and many others to support her claim that Ms. Skipp has an undiagnosed mental illness. Ms. Skipp was a teacher that was courageous enough to work in prisons/ detention centers, places most people would avoid. She was recognized by the Judiciary CSSD for her efforts. None of these facts were taken into account in judgments in Ms. Skipp's case.

This gross abuse of judicial discretion is upheld in the Appellate Courts as they defer to the original judge as the better trier of fact without taking into consideration compelling evidence to the contrary. In a recent case in Ohio, the Appellate court ruled that the original trier of fact did not take into account all of the evidence heard to refute false allegations and remanded the case back to the trial court. I firmly believe that the CT Appellate courts follow suit.

Many feel that there is collusion between the various vendors used by the court system in these types of situations as some members of the court have relationships with these vendors and appear to profit off the use of these vendors.

In addition, no uniform standards are in place for protecting those accused of having a mental illness. Judges who are not qualified to make these decisions routinely impose restrictions solely on their discretion without any standards in place on the appropriate use of these restrictions. This leaves the affected party unsure on how to proceed as the application of these restrictions are haphazard at best.

In summary, we need better mechanisms in place to ensure that entire judiciary enforces the ADA rules uniformly, ends the illegal discrimination against parties, ensures that the rules of the court are uniformly enforced and that the employees of the court are free to perform their duties without undue influence from outside stakeholders such as attorneys.

Thank you for your time.

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H. Morera February 20, 2015 Public Health Committee Hearing Testimony  
TESTIMONY BEFORE THE PUBLIC HEALTH COMMITTEE - PUBLIC HEARING ON PROPOSED  
BILL HB-6267 - AN ACT CREATING A TASK FORCE TO STUDY THE DEPARTMENT OF PUBLIC  
HEALTH'S INVOLVEMENT IN THE FAMILY COURT SYSTEM

Public Health Committee  
Room 3000, Legislative Office Building  
Hartford, CT 06106

Friday February 20, 2015

Dear Members:

Good morning, my name is Hector Morera and I am here to speak in support of HB 6267, An Act Creating A Task Force To Study the Department of Public Health's Involvement In The Family Court System.

First, I would like to thank Rep. (Dr.) Srinivasan for sponsoring this bill, the co-chairs Sen. Gerratana and Rep Johnson for placing this bill before the committee and for all members of the committee for voting to place the bill for Public Hearing and affording me the opportunity to speak before you today.

I would like to refer you to attached sample with possible language for the final bill to assist the committee. I emailed this language to the committee previously. It is modeled after previously enacted legislation creating a Task Force to study other Family Court issues.

On August 9, 2013 (560 days ago) my children were stolen from me during an Ex Parte pleading filed in Family Court. I was placed on supervised visitation despite NO proof of abuse or neglect against the children, NO substance abuse on my part, NO DCF or police involvement or criminal charges whatsoever. The basis of the accusations was false allegations by a Guardian Ad Litem allegedly supported by my daughter's mental health professional, Ms. Kian Jacobs of Ellington, CT.

Ms. Jacobs is not my mental health professional. She has never done any industry standard testing on me. For her to opine on my mental state without performing any such testing is inappropriate to say the least. In addition, she is a clinical social worker. Determination of someone's mental health fitness really falls under the realm of a psychologist and/or psychiatrist. I disproved those lies by hiring mental health professionals, an expensive endeavor. Because I work in New York City, I used professionals in NYC. My ex-wife's lawyer and the GAL complained about my use of professionals from NYC. I contend the real basis of their complaint is that a professional from NYC can not be coerced or intimidated with threats of economic boycott to make impartial statements against a party.

Making false allegations of a disability (mental or physical) and subsequently discriminating against a party based on those false allegations of a disability (i.e. perceived disability) is a violation of the 2008 ADA, specifically passed in part by Congress to address the court's lack of enforcement of this discrimination. An ADA complaint was filed with the US Department of Justice in regards to this matter. In addition, I spoke to the Judiciary Committee on February 19, 2014 about this issue. A copy of my testimony from that date is attached for your review.

In July 2014, I filed a complaint with the DPH and my insurance (Cigna) provider's investigative unit located in Hartford against Ms. Jacobs alleged misconduct. Despite numerous calls to the investigative unit, my insurance provider mysteriously refuses to return my calls about the status of the complaint. In addition, DPH refused to investigate my complaint saying that they could not obtain any records from Ms. Jacobs as I am not the custodial parent. I dispute this claim as I know of numerous other complaints filed with the DPH which the DPH chose to investigate on behalf of the non-custodial

H. Morera February 20, 2015 Public Health Committee Hearing Testimony  
parent. In addition, the June, 2012 Memorandum of Decision of my divorce provides a court order that Ms. Jacobs must provide myself copies of any of her records. I contend the DPH was negatively influenced by external influences to drop my complaint.

One may argue that Ms. Jacobs was an innocent victim caught up in a contentious divorce and had no choice but to defer to an influential GAL and my ex's lawyer to allegedly act impartially towards myself. Regardless of the reasons behind Ms. Jacob's alleged misconduct, it is indicative of a problem that should be addressed by establishment of some standards/guidelines/statutes to minimize the possibility of this occurring during divorce proceedings. If mental health professionals are being manipulated by influential industry lawyers, as it appears is the case, this practice must come to an immediate halt.

In summary, there are many different types of professionals involved during the divorce process. Some of the professionals do not fall under the purview of the Judicial Branch. The mental health professionals involved fall under the purview of the Department of Public Health.

As there are many complaints of alleged misconduct as evidenced by the number of signatures on the attached petition, it behooves the DPH to establish some requirements that these professionals follow already established industry standards and they educate the public about these standards to which they must adhere when providing services to a party in a divorce.

We are not asking the DPH to establish industry standards that already exist. We are asking that the DPH enact some requirements that mental health professionals involved in Family Court matters adhere to these already established standards and to address some issues with the complaint process for these professionals as outlined in the attached petition.

Thank you for your time.

Hector Morera  
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#### List of Attachments

1. Sample language for possible inclusion in final bill.
2. DPH response letter to complaint against Ms. Jacobs.
3. Public Testimony provided by Hector Morera before the Judiciary Committee on February 19, 2014.
4. Redacted complaint to DPH in regards to Ms. Kian Jacobs
5. Petition asking the Legislature to Reform the Complaint Procedure for Mental Health Professionals in CT

See the following link for entire testimony and attachments.

<http://cga.ct.gov/2015/phdata/tmy/2015HB-06267-R000220-Hector%20Morera-TMY.PDF>