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In favor of HB 5505

- Reasons why I am opposed to a Guardian Ad Litem testifying on behalf of Mental Health Professionals in a family case. **HEARSAY RULE**
  - We had a situation in which a mental health professional in the Mastrangelo vs. Mastrangelo case, Dr. Robin Grant-Hall verbally shared information with the Attorney for the Minor Child (acting as a GAL - conflict) without a signed waiver by Mr. Mastrangelo to do so. The only agreement signed by Mr. Mastrangelo was to allow Attorney Anne Epstein to communicate through e-mail only with this therapist to avoid exactly what ended up occurring. AMC/GAL Epstein disregarded this agreement and decided to have a telephone conversation with this therapist. Dr. Grant-Hall never contacted Mr. Mastrangelo to make sure he approved this communication. Dr. Grant-Hall had a 20 minute conversation with AMC Anne Epstein who later reported her conversation in open court PRIOR to court being in session; for everyone in the courtroom to hear. Needless to say, the hearsay rule was argued to exclude this hearsay information and it held up. How is the GAL able to have a conversation with anyone, especially a mental health provider and then report her interpretation of the conversation?
  - Absent abuse and neglect cases, it's my opinion that Guardians Ad Litem are not necessary.
  - How is it that a Guardian Ad Litem is not subjected to the hearsay rule?
  - Absent abuse and neglect, I am not sure why a mental health professional would need to make a report to a GAL regarding their patient. Mental health providers are mandated reporters; therefore, I am not sure how absent abuse and neglect, anything else needs to be shared with a GAL.
  - If allegations of abuse and/or neglect are made, we have the Department of Children and Family Services for these families. Protocols are in place to protect children and families in the process. Why are we making a parent sign a waiver allowing mental health providers to share private information with a third party? Too much power is being handed over to third parties.
- Supervised visitation or (pay-per-view) parenting should be mandated.
  - I believe absent abuse and/or neglect, a parent should not have to pay a service to supervise their time with their child
  - Supervised visitation should be exclusive to abuse and neglect cases.
  - Absent evidence of abuse or neglect, DCF should be called in to conduct an investigation.
  - At the very least, conduct background checks on those who will agree to serve as a third party supervisor. For example, family members with a good background check should be the first choice.

3. Reasons why litigants should be able to bring civil action against a GAL.

- This brings accountability to the GAL system.
- I went through the GAL training and I will make myself available to be a GAL to collect facts and report back to the court.
- I do not believe a GAL has the right to give his/her opinion as a witness to the court.
- This entire GAL system could be fixed if we utilize GAL's as we should; abuse and neglect cases. If the court really needs a GAL to investigate the facts and report back, then stick to the facts instead of opinions.

4. The limitation of the Guardians Ad Litem involvement during court proceedings in order to reduce GAL costs.

- GAL's, especially private paid GALs, have been trained (loosely) to be a **WITNESS**.
- How is it that a perfect stranger, with their own set of values is able to decide what is best for a family. It ends up being about who knows who and who is trying to make the attorney's happy. GALs should not be allowed to impose their opinions and value system onto a family through the court.

5. Why psychological evaluations should be conducted by individuals who have been selected by the parents?

- Absent abuse and/or neglect, I strongly feel as though these psychological evaluations are simply a fishing expedition for the attorneys. The results can change in a two week or six month span. The government does a cost and benefit analysis when making decisions, therefore, the court should recognize this is not necessary.

6. Mental health providers and medical insurance issue.

- This bill will eliminate the cottage industry of GAL's, mental health providers and family attorneys working in collusion.
- Some of these family professionals have a license to steal from parents.
- The bottom line: a family files a motion for therapy, the GAL or court orders a therapist to see, then the therapist tells the parents this service is not for therapy but for consulting. Therefore, no insurance benefits will cover their \$200-\$350 per hour fees. This is a scam!