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Subject: HB 6267

Dear Senator Gerratana, Representative Ritter and Members of the Public Health Committee,

I am writing to voice my opposition to HB 6267. I am a licensed psychologist who like many of my colleagues is a proponent of alternative dispute resolution strategies. In addition to expertise in the evaluation and treatment of child and adult individual, family and group functioning, I chose to take additional training and became a certified mediator and collaborative divorce professional. I believe that as often as possible, mediating differences and disputes is a more productive, civil, dignified and humane way to promote children and parents' relationships and optimal functioning.

Most people who divorce either handle the process themselves or seek minimal consultation. A subset of parents use some type of alternative dispute resolution if parents have questions, are in disagreement or having difficulty communicating effectively to arrive at agreements. In a minority of situations, these methods do not work and co-parent conflict is extreme and unrelenting, often with children inadvertently stuck in the middle of their parents' conflict. This conflict can be exacerbated by the adversarial nature of the legal system, which can make parents feel either like winners or losers in a tug of war over money, property, friends and most important, their children.

It often is in this atmosphere of severe and persistent conflict and stress that custody evaluations are ordered. Psychologists with extensive training in evaluation, psychopathology, family dynamics and forensic practice are called upon to go into the middle of a highly conflictual situation between two divorcing or divorced parents. Evaluators are charged with making sense of complex, confusing and conflicting data in a highly negatively charged atmosphere under the scrutiny of litigants, attorneys, other mental health professionals and the public at large. This task is done under constant pressure from participants who have a high level of investment in a certain outcome but not all relevant information on hand on which to base opinions as to the welfare of the children embroiled in the conflict.

Sometimes parents feel that the information obtained and the recommendations that come out of a custody evaluation are unfair or incorrect or not in the best interests of their children. And they sometimes blame the custody evaluator, even though the evaluator is a neutral professional not representing either parent, only provides recommendations and does not make decisions, and contributes only one piece of data used in the decision making process involved in a contested

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divorce proceeding.

The vast proportion of people who divorce do so without significant conflict and are able to maintain reasonably cooperative relationships and work together to continue to care for their children. A relatively small proportion of parents are unable to cooperate during or after the divorce process and need significant assistance and intervention but manage without a custody evaluation. A smaller number are ordered to undergo evaluation. And a smaller number yet still make complaints to a regulatory board because they are dissatisfied with the recommendations of the evaluator. In the latter instance, the evaluator can become the lightening rod for a parent who is mired in unrelenting conflict with a former beloved partner, facing mounting financial stress as the divorce process drags on seemingly without an end in sight, and struggling with the real fear of being separated from their children.

While I have done some custody evaluations in the course of my career, the majority of my time has been and continues to be spent helping parents mediate their differences. I believe children's interests are best served when parents choose methods of resolving their differences outside of litigation.

I oppose HB 6267 for two main reasons. First, the proposed bill relates only to a very small minority of the state's divorcing and divorced parents. Second, I believe that there is a greater interest to be served and that the legislature can represent the majority of its constituents by focusing on the front end of this issue instead of the back end. Therefore, I respectfully suggest that the greater good of the state would be much better served by directing resources towards educating the public about the benefits of alternative dispute resolution methods, such as mediation and collaborative divorce processes, and helping more parents in the state access these services. Better still, investment in premarital and relationship enhancement programs to provide couples with the skills needed for healthy, lasting relationships would serve the best interests of Connecticut's children by increasing the chances that they will grow up in healthy families with two loving parents.

Thank you for your consideration.

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