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# Immunity for Guardian Ad Litem destroys Connecticut family

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Photo: Susan Skipp and her children

Friday, March 1, 2013 - A Heart Without Compromise; Advocating for Children by Jerome Elam

Jerome Elam



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## The following post is by guest author, Aine Nistiophain

This is part II of a two-part article. Read Part I, Finding Ground Zero in Connecticut, [here](#).

**WASHINGTON, DC, March 1, 2013** - In Connecticut, the phrase "for the sake of the children" is often thrown around on custody cases involving child victims of violent crimes. However, cases like 9-year old Max Liberti's suggest that some family court appointees are more likely to favor the opportunity to continue billing families for unnecessary, even fraudulent services, over what is best for the child.

After all, children living in safe environments do not need Guardian Ad Litem (GAL), evaluations, or therapy to protect and rehabilitate them. When Max disclosed that his father raped him, the GAL and other professionals charged his family a whopping total of \$1.5 million for their services. Yet most of the 40+ professionals assigned to his case spent little or no time with Max, or did not know him at all before making recommendations that forever severed his relationship with his mother.

Often the court appoints a GAL to advocate for the child's "best interests" instead of asking the children for direct input. The GAL then bills the parents for asking other strangers appointed onto the case what's best for

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the children.

In 2003, the Connecticut court decided that the GAL has the exclusive right to speak on the child's behalf, yet there are no requirements as to how much time a GAL must spend with their ward. To clarify the GAL's role, the court drew the bright line rule that *"Just as it is not normally the province of the attorney to testify, it is not the province of the guardian ad litem to file briefs with the court."* (*In re Tayquon H.*, 821 A.2d 796 [Conn. Ct. App. 2003]).

While the Judicial Branch provides free certification trainings<sup>[1]</sup> for GAL's, there is no central oversight process in place to review the quality of their work, yet they enjoy qualified immunity for their actions.<sup>[2]</sup>

What exactly is the Judicial Branch training GAL's to do?

### GUARDIAN AD WHO? THE SKIPP-TITTLE CHILDREN

When Susan Skipp's daughter Gabrielle truthfully disclosed<sup>[3]</sup> that her father assaulted her family, Susan was ordered to use the majority of her income to pay the fees of various court appointed professionals she could not afford. Attorney Mary Brigham was appointed as the children's GAL, and Dr. Kreiger<sup>[4]</sup> and Dr. Horowitz<sup>[5]</sup> were appointed to assess the family and provide them with therapy. A court issued an order forbidding Susan from speaking to the children about the litigation, seeking domestic violence support for them, or "disparaging" the father who allegedly assaulted them.

As GAL, Brigham billed the children's home at a rate of \$300 per hour to represent the children's wishes and best interests. Billing records show that between September 2010 and November 2011, she billed over 196 hours, including only five meetings with the children.<sup>[6]</sup> It's impossible to tell whether the children met with Brigham alone, how long these meetings were, or what was said.

Invoices show during this period, Brigham's time was largely spent talking to other providers who barely knew the children or recently met them, emailing unnamed parties, speaking to Dr. Tittle and his attorney, and talking about billing matters. Susan was also charged for the time Brigham spent drafting, filing, and successfully prosecuting motions, including as many as three motions she personally filed seeking to hold Susan in contempt for nonpayment of GAL fees. Susan says that last July, Judge Robert Resha held her in contempt, then threatened to incarcerate her if she refused to immediately liquidate her teacher's retirement pension to pay Brigham \$20,000 in fees.

Susan also saw Horowitz and Kreiger's unorthodox billing practices as red flags that made her doubt the legitimacy of the appointments.

*"My divorce agreement states that the parents will see Dr. Krieger for parent counseling. Instead, Dr. Krieger drafted up an agreement for co-parent mediation,"* says Susan. This was improper she says, because *"Mediation is a legal service that is not covered by health insurance and must be court ordered."*

Susan says that Kreiger charged Aetna for treatment, despite the fact that she was required to provide him with a \$2,500 retainer and pay expenses out of pocket. She questioned whether Dr. Kreiger was billing for treatments that were unnecessary or improperly performed.

*"Dr. Krieger also performed psychological evaluations on the family,"* Susan says. *"Those need to be ordered by the court too, and were outside the scope of his appointment as a counselor."* Susan adds that one such evaluation had flawed results because it was done against medical advice immediately after her car exploded, leaving her hospitalized with head injuries.

When Susan requested copies of the records and bills, then questioned Dr. Horowitz and Dr. Krieger's refusal to address the assaults or the father's struggles with addiction and the law with the children, both providers recused themselves from the case.<sup>[7]</sup> <sup>[8]</sup> However, Brigham then asserted privilege on the children's behalf, thereby prohibiting Susan from obtaining documentation from either provider.<sup>[9]</sup>

*"While Kreiger and Horowitz testified in trial that there was no domestic abuse, they both used*



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domestic violence codes when billing Aetna," says Susan. Dr. Horowitz testified that he used one medical chart for 2 children, used the wrong billing codes with the insurance company, then failed to inform the parents and the GAL that he had diagnosed the children with serious mental disorders.[10]

Brigham decided it was "not in the children's best interests" to have them testify at trial.

#### "ARE YOU HERE TO SAVE US?"

Once when their father refused to pick his children up for three days of parenting time, I had the pleasure of meeting Susan's children. The children seemed traumatized not only by the violent crimes perpetrated against them, but also by the fickle will of the courts to intervene on a moment's notice and upend their lives without including them in these decisions. Given their isolation and the infrequent, yet intensely hostile interactions between Brigham and the children, it was no wonder they sought answers from me the moment their mother left the room.

"Are you here to save us?" Gabby asked. "Someone has got to help mom stop my father. We are afraid because he hurts us."

"No honey," I told them, "I'm just a journalist, I can't save anyone."

They begged me "Please write something to make Mary Brigham listen so the court will not make us live with my father."

My heart was heavy because they too felt the inevitable, that darkness was coming for them, and they knew they were helpless to stop it.

With Judge Munro's trial decision not yet issued, in September 2012 Dr. Tittle sought to permanently sever all of Susan's parenting rights and access to the children. Judge Gerard Adelman heard testimony that the children refused to visit with Dr. Tittle for the stated reason that they feared for their safety. When Brigham refused to talk to them about these concerns, the children refused to get in the car with her. Brigham told the children she was unconcerned, then demanded they get in the car so she could bring them to Dr. Tittle's [which they did not do.] Consequently, Judge Adelman granted Dr. Tittle's motion for sole custody with the caveat that the court would permanently terminate all of Susan's parenting rights if she were even 5 minutes late for any future visits.

One week later, I attended the hearing on Dr. Tittle's second motion to terminate Susan's parental rights. Judge Munro called Judge Adelman's orders "draconian," then criticized Brigham's role in instigating the proceedings by acting outside the scope of her appointment as Dr. Tittle's "taxi driver." As we left the courtroom, Brigham informed me that she had filed her affidavit of fees a month ago. Subsequently, neither I nor the court staff were able to locate Brigham's affidavit.

Ultimately, Judge Munro awarded Dr. Tittle sole custody of the children, then constructed a "set-up-to-fail" parenting plan that effectively terminated Susan's access to the children. Susan retains the right [on paper] to purchase a few hours per week with her children at Visitation Solutions, Inc.,[11] which is affiliated[12] with Horowitz and Krieger, and located over an hour away from the home she and her children once shared.

Judge Munro denied Susan's request for alimony, then awarded Brigham \$70,000 in fees, despite the fact that Brigham never filed an affidavit disclosing her billing. After Judge Munro recused herself from hearing Susan's case, Brigham's subsequent motions to garnish Susan's wages were denied pending the outcome of Susan's appeal.[13]

Since October 2012, Susan filed for bankruptcy and has not been able to afford to purchase time with her children. Dr. Tittle[14] has refused to allow the children any contact with their mother, and remains on criminal probation for driving under the influence, reckless driving, and evading responsibility (leaving the scene of an accident.)[15]

Brigham has scheduled a status conference for April 4th to discuss payment of her fees, garnishment of Susan's assets and tax returns.

Who's best interests have been served?

#### IS THERE A COMMON DENOMINATOR?

Horowitz and Dr. Kenneth Robson often conduct the court's "free" GAL certification trainings together with Judge Munro. Court records show that when Dr. Kenneth Robson[16] and Horowitz[17] are



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involved and the State is paying, the parents are often ordered not to communicate with their children about the trauma they experience. The GAL exclusively communicates directly with Horowitz about the children's care, and only the GAL will speak to the children about the litigation.

*"One of the core issues is the qualified immunity GAL's enjoy, which results in much of the judicial outsourcing to them,"* says advocate Peter Szymonik. He points out that a major reason why parents cannot even find relief from excessive GAL fees in bankruptcy is that the court categorizes it as child support, which is nondischargable. *"This leads to excessive and unnecessarily billings which permanently financially devastate parents."*

While Szymonik says the system is biased against parents, Journalist Keith Harmon Snow has documented over 70 CT cases[18] where fathers who committed legal offenses, have gained custody of child victims. The mothers were often required to purchase parenting time through outrageously expensive, even corrupt supervised visitation providers, who extorted them out of relationships with their children. Now permanently destroyed and bankrupted by abusive, often deadly State sponsored litigation, these families have no recourse.

*"GALs are, in fact, paid by judges even ahead of child support,"* says Szymonik. *"This translates into a multi-million dollar fraud and state sponsored corruption which is financial devastating families and parents, harming children, and fleecing taxpayers."*

To additional documentation related this journalist's investigative report on the Connecticut courts:

<http://www.scribd.com/JournalistABC>

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PMahoney • 4 days ago

We should not lose sight of the fact that Gabrielle and Wyatt probably would have been far less traumatized if they themselves had been able to speak for themselves instead of having millions in resources extorted from their homes. That these members of the CT Bar Association, with all the years of experience between them, willfully or unwillingly failed to recognize that fact is not a mistake. If Munro, Adelman, and Catsumpas who have perhaps a half century of experience between them, cannot recognize a simple false billing scam or a man trying to conceal his financial status and engaged in fraud, then they need to retire as a disgrace to the bench. Judging from the letters from Horowitz to Judge Abery Wetstone on the Boyne case demanding payments for services not provided or under contract at over twice the State billing rate---when no motion was even pending for fees---one has to wonder how long Horowitz has been squeezing judges? Are they just really unaware of his insurance and billing scams, even after Horowitz testifies before them admitting to insurance fraud---or do they have a stake in whether he goes down? Where is the DOJ in all of this? How embarrassing would it be if Horowitz was indicted like GAL Danielle Ross in Lackawanna County who was

recently indicted by a federal grand jury for tax fraud? I mean, he's training judges with judges, administering the court's programs, and training GAL's, yet still profiting from appointments and charging the State at a rate 2 times the State's rate? And the DOJ, the State Auditor, the judges signing off on the bills (on some occasions, paying him twice for the same job) and golly gee somehow Susan SKipp with the clean criminal record and kids begging to live with her is the only one whose credibility they call into question? Really? And they renew Horowitz's no bid, questionable contract for the "educational classes" for the CSSD staff, even though he admits to billing fraud? And you want us to believe that this is who's mistake? That hundreds of parents and children are lying, but Horowitz is telling the truth? Who said the judiciary got it right? Department of Justice? Anyone?

1 ^ [ v ] • Reply • Share ›



NameTheNonprofits → PMahoney • 3 days ago

MANY thanks to this investigative journalist --- How often do people get the evidence along with the article? And it looks like the evidence of the profiteering is in, as well as the HOW. I hope people outside this system will "get" that it's about the profits, not the kids; and be motivated pay better attention to county, state and federal budgets, instead of just forking it over for "public benefit."

We have to watch our reaction modes -- as a domestic violence survivor who then was forced (ex parte consolidation) into these courts, and saw an immediate ignition to the job-loss dynamic, followed by overnight custody-switch (as I was attempting to enforce existing court orders), which also blew a decent profession out of the water, and saw the end of the concept of "enforceable court orders," and all this in public view -- I know a little more public indignation far earlier in the game would help the local economies for sure. Moreover, if we are funding these systems, it's an ethical duty to pay closer attention where those monies are going, and if they are really "for public benefit."

-----  
Szymonik (above said it) the overbillings and what seems like double-billings found (herein) seem to validate it; the last statement seems true: multimillion-fraud // state-sponsored corruption (actually it's also federally sponsored), financial devastating families (this includes extended families), fleecing taxpayers.

~ ~ ~

It is hard to sound credible while one is in ongoing trauma over the safety of one's kids, or oneself, in shock, in poverty, in-carcerated (or under threat of being incarcerated for failure to have more money). However, credibility comes on a closer look.

I hope this article is (1) tweeted, facebooked, pingbacked, and publicized [I will!] to convince the public at large (I think parents in the system need less convincing, we know by experience and association) -- that their silence over billings fraud, or ignorance of how the courts are funded (what's done with county, federal, state, etc. monies) cannot continue. It's either stand by for child-rape, and a very dangerous situation for any community's economic stability, or put this on the front burner. Develop an understanding, the language, "get" the system, and be able to communicate its relevance to their own future.

Traumatized parents are easier to rob (just as any stranger kidnapping your kids would have your full attention, right?), and they are being robbed, ridiculed, labeled, put under "supervision" at their own expense, then if spat out, might need some help at the local level, and not through their own fault.

If our income taxes are contributing to this, would we change anything, or does the mortgage-to-income ratio mean, can't afford to change now? Does conscience get outsourced along with them to, 'leave it to the professionals, so I can get back to work..."'??

The people most informed about the system are often in it. This population is getting larger and larger, and there will be a public attempt to blame them for things actually resulting from centralization of power in specialized courts presided over by networked professionals on the public payroll, and moonlighting through the various private contractors with the courts, or, it would seem simply some untracked billings. How is this not RICO, or is it just that if the judges are involved in a RICO situation, then who would prosecute?

5 ^ [ v ] • Reply • Share ›



Krissy • 4 days ago

With all due respect, did anyone (including the author of this article) read the court case opinion? Yes, it's long, but after you read it, I'm sure everyone will agree the court got it right.

0 ^ | v • Reply • Share ›



Spock → Krissy • 4 days ago

Krispy you are a bit confused. Lynda Munro readjudicated the best interest finding of Lloyd Cutsumpas. A court of law is not a forum of debate between Lynda and Lloyd. Munro did not follow the law. Therein lies the betrayal of the Connecticut judiciary and the judicial failure of Canon. All Krispy is asserting is that Lynda got it more right than the final decision of Lloyd. Wonder what the next lower court will decide???

5 ^ | v • Reply • Share ›



Krissy → Spock • 2 days ago

First, it's Krissy, not "Krispy", second, I have no idea what you're talking about. I simply asked if anyone read the court opinion... It does not appear you have. What law did the court not follow?

0 ^ | v • Reply • Share ›



Lewis → Krissy • 2 days ago

Kisper, To answer your question yes. Munro wrote 29 pages of b.s. in which she ignored CGS46b-56(h)&(i). She ignored case law of Pascal v. Pascal and Janik v. Janik and does not know the definition of the word therapy. She ordered medicine without stating a diagnosis. She failed to follow Hall v. Hall and found no change in circumstances to justify modification. As a trial court judge she overturned Lloyd Cutsumpas' rulings of the best interest and inserted her own. So in simple terms the Superior Court overturned itself on a final judgment...due process and the application of constitutional rights leave such action to the appellate court and above.

So to more directly answer you, Munro did not act as a judge of the law, she acted as a tyrant. Her own personal power wielded with malice and disdain for the elements of a civilized society. And yes, I read the decision.

1 ^ | v • Reply • Share ›



Peter Szymonik → Krissy • 4 days ago

Denying children access to their parents, and vice versa, except in the most extreme cases, is \*never\* "right."

5 ^ | v • Reply • Share ›



Krissy → Peter Szymonik • 2 days ago

It often can be, if the child is being abused. The mother in this case seemed to be an unfit parent, or at least, unstable enough to grant custody. No one denied any child in this case the right to access their parent - she has the option of supervised visitation.

0 ^ | v • Reply • Share ›



Lewis → Krissy • 2 days ago

Kisper,

The court did not adjudicate that the mother was unfit. What is your legal definition of 'seemed to be...unfit'. You seem to be an idiot, but there is no court determination of that. The court is supposed to follow the law. The father crashes a car into a Taco Bell then leads police on a chase, that is not unfitness. You have higher standards for mothers than fathers?

0 ^ | v • Reply • Share ›



JSDV → Krissy • 4 days ago

just because the court decided something on paper does not mean they "got it right" you are in a fantasyland if you think the court always gets it right.

5 ^ | v • Reply • Share ›



Krissy → JSDV • 2 days ago

I can assure you, I don't believe the court always gets it right. But did you



read the court opinion? Did you read the evidence the court presented? Or did you take this author's word for it?

It's funny, everyone jumped at my comment, but no one just said "Yes, I read it."

0 ^ [ v ] • Reply • Share ›



Rogers → Krissy • 2 days ago

Oh dear. Hon, courts don't present evidence. Evidence is presented TO the court for consideration, but there are all these, like, rules and stuff about what can be presented, and how judges are allowed to consider it. And when there is clear and overwhelming evidence of conspiracy and profiteering on case outcomes - AS IS PRESENTED IN THE SUPPORTING DOCUMENTATION IN THIS ARTICLE - (I'm sorry for the caps, but you really seem slow on the uptake and I didn't want you to miss the point) the trial decisions must be thrown out.

Krissy, you might want to reconsider your proposed line of work. Very simple legal concepts seem to be lost on you.

1 ^ [ v ] • Reply • Share ›



tink888 → Krissy • 2 days ago

Thing is, they may have believed the woman was unstable, but where on earth is there a woman, when faced with divorce, an abusive ex-husband and the fear that her children are being harmed, where is the woman who can maintain a positive state of mind when bombarded with a judicial system that is set up to protect the rights of children but fails to do so, on so many levels.

1 ^ [ v ] • Reply • Share ›



Spock • 5 days ago

The judges, not the people of Connecticut have defined the role of the guardian ad litem. Judges making rules for judges. GAL's are trained by the judges to say what the judges want heard. The judiciary's own private secret service. The legislature sits idly by watching black robed mobsters hand out 'immunity' to judicial foot soldiers to collect the money to feed the racket. The state rate for a guardian ad litem is \$70/hour. But the same service cost assigned to a parent with assets is \$300/hr?

The courts have clearly stated that the guardian has immunity and acts as a witness. So why in does Mary Brigham, Esq. sit in Munro's court room for five days and only testify on the sixth day? Does the Judge have all the witnesses come to court and sit through the entire trial?

How can the court judges decide that the GAL is a witness, but then is paid for services of a paperweight for the entire trial. Witnesses are called, sworn, put on the stand, questioned, cross examined, etc., until the judge says the witness can step down or that the witness is excused. So the judges want to believe this special acting like a witness is really not acting like a witness. Or perhaps the judges think the people are too stupid to catch on to their game.

There is one judge, Hennessy on the appellate court who recognized the proper roles of government to keep the judges from constructing their own 'star chamber' by doling out immunity like Kings. Judge Hennessy succinctly advised: "The immunity proposed by the majority for attorneys appointed to represent minors...should be addressed to a law making body, it is not our [court] office to legislate" 81 Conn App 382 at 409.

But where is the legislature, where is the law making body, the representatives of the people, the enactment of will of the sovereignty, the function of government???. Does the money flow to the legislature, paid to turn a blind eye to the scam artists of matrimonial lawyers and the judges, who were matrimonial lepers prior to being cloaked in black. Does the money get to the Governor? Can't have the Governor looking into these atrocities, caring for rights, children, motherhood or apple pie. Did someone say pie? Perhaps the GAL fees should be tracked to see how many hands are out for the the money claimed on Mary Brigham's fictitious bill.

Follow the money.

6 ^ [ v ] • Reply • Share ›



Oliver Twist • 5 days ago



This Dr. Shawn Tittle, is he the Chief of Surgery at Norwalk Hospital? He is on probation? He slams his car into the Danbury Taco Bell, evades police, tries to switch seats when the police catch him to deny he was driving, was high on adderal for three days and Judge Munro sez.....ahh never mind....give him sole custody?? Judge Blawie puts the Doctor on probation for acting like a reckless teenage kid, high as a kite, having vehicular intercourse with a drive thru while on a munchie attack.....but Judge Munro rules he was just 'exhausted'. Because exhausted people refuse to take sobriety tests when the Danbury Police pull exhausted drivers out of the passenger side of the car at the end of the chase. This is jurisprudence or get what you pay for domestic relations ruling?? Judge Blawie must feel so ashamed. Live Mas!!!!

7 ^ [ v ] • Reply • Share ›



Lemony Snicket • 5 days ago

So here we have Mary Brigham, Esq, an officer of the court, lawyer of professional standing, representing the 'best interests of the children' by sitting as a bump on a log for five days of trial watching the argument to modify before Judge Lynda Munro, billing \$300/hr out of the family pockets for what particular legal purpose before Munro?? Bags \$12,000 for sitting and watching, does not even have the authority to object or present a motion. What was the purpose of this billing? What was the legal duty performed? What standard of justice was upheld by sitting, watching and absorbing \$\$\$\$. Why did Munro allow it? How did Munro know of it if there was no itemized invoice with timesheet and affidavit?? Is the scam between the GAL and the Judge??? Why on earth did the judge allow such pillage of the family assets to compensate Mary Brigham so lavishly for doing nothing for five days of trial?? With whom is Mary sharing this hoard of ill gotten gains?? The Judge?? The curious public statement by the GAL that she filed an affidavit of fees with the court, but the clerk can't find it. It is not listed on case detail. Judge Munro never laid eyes on it, but accepted sworn testimony by the officer of the court that such 'bill' exists? How did the court determine the reasonable award of fee if the court itself never saw the bill??? A physical search of the file shows no such Mary affirmed affidavit. What gives?? The clerk's dog ate it? Then why exactly did Munro recuse herself after issuing her ruling? Hit and run? But wait, why was the case before Murno?

[see more](#)

5 ^ [ v ] • Reply • Share ›



Peter Szymonik • 5 days ago

Judge Adelman's recent testimony: "Well, I — I think, you know, there needs to be a — a clear definition as to what the role of the Guardian and/or the attorney for minor children should be. When I first started, you know, the first case, we used to — as Guardians, we used to write written reports to the judge; we don't do that anymore. We used to participate; now we're more witnesses."

6 ^ [ v ] • Reply • Share ›



Oliver Twist • 5 days ago

The Connecticut court system is just a reflection of the sheeple of the State and their desire to allow the judiciary to operate a racketeering operation, enriching judges, lawyers, idiots & fools; while throwing children under the custody bus. The system is impartial to the parties, it just cares about the money. All hail citizens of Connecticut and their inability to govern themselves.

7 ^ [ v ] • Reply • Share ›



Peter Szymonik • 5 days ago

The relationship between the GAL and a child's court-named and mandated "therapist" violates the concept of patient-doctor confidentiality and privilege and also likely violates HIPAA. This is because the "therapist" shares information with the GAL and without a parent's prior review, input or knowledge. The GAL in turn uses the information the therapist provides in a public forum and against the parents, which results in a form of self-incrimination. This sharing of information between "therapist" and the GAL also represents a blatant violation of doctor-patient confidentiality and immediately renders null and void any therapeutic benefit to the child, as the basic trust relationship and tenet of patient confidentiality is destroyed. In this role and relationship, the "therapist" ceases to be a mental services provider and actually acts as a paid consultant in the employ of the GAL, who funnels business to them.

One major due process problem is manner in which judge's routinely outsource their judicial authority to GALs, by automatically ordering whatever a GAL may recommend to the court,

and without affording a proper hearing in regards to what the GAL is recommending. As a result, the GAL effectively becomes judge and jury.

This encourages and allows GALs to bill with impunity. Judges routinely order that the GAL be paid under the threat of arrest – even if the GAL has not once submitted an invoice explaining

[see more](#)

9 ^ [v] • Reply • Share ›



**Peter Szymonik** • 5 days ago

One correction.... I do not believe that the court system is biased against fathers. I believe it's biased against parents!

4 ^ [v] • Reply • Share ›



**tink888** → Peter Szymonik • 2 days ago

It's not biased against father's at all. Last I saw, of cases that go under the judges hammer, 70% go in favor of the man.

0 ^ [v] • Reply • Share ›

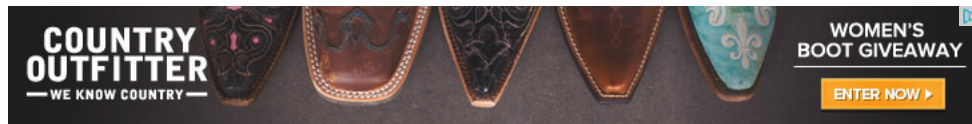


**Lewis** → tink888 • 2 days ago

Hey Tink, it has nothing to do with gender....it is a purely unbiased system. The only rule is that the one with the most money wins. The lawyers kick back, pay up, pay off. Judges are not doing these inhumane actions for any other reason than the money.

0 ^ [v] • Reply • Share ›

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