

STATE OF CONNECTICUT LEGISLATURE

**Task Force to Study Legal Disputes Involving the
Care & Custody of Minor Children**

Public Hearing – 09 January 2014

SUBMITTED BY DANIEL M. LYNCH, TRUMBULL CT

The following testimony is respectfully submitted in support of urgent change needed to Connecticut General Statutes and related Court Rules which are currently causing life-altering harm to children and families of divorce in Connecticut:

#1 – Need to adopt a presumption of an equal sharing of both physical and legal custody as being in the best interest of children

#2 – Need to address party non-compliance with and the Court’s failure to enforce C.G.S. § 46b-56 (c)(6) – both failures of which are currently harming children and enabling prolonged alienation

#3 – Need to abolish existing roles of Guardian Ad Litem’s (GALs) and Attorney’s for the Minor Child (AMCs), replacing with effective, transparent, qualified and accountable professionals working within a system that serves children instead of uses children

I do not have the words or personal experience to convey in just three minutes the importance of the matters charged to this Task Force. Having watched several of your previous meetings on CT-N, and having researched the backgrounds of each member, it is clear to me there is not consensus on the true depth of your public charge. More troubling, it appears an obvious and deleterious conflict of interest exists in the very appointment of co-chairs who are so deeply entrenched and beholden to the very system in sore need of a transplant.

No system, no group, no process anywhere in the world is perfect and without flaws. Sadly, however, there are a range of issues harming the children and families within the State of Connecticut that seem to be routinely ignored and beyond any reasonable measure of true review or oversight.

Children Are Being Used as Pawns

As you hear testimony today and hear the word “children”, think of your own children when they were young, or your nieces and nephews, or your grand children. In far too many instances, their innocence and unlimited potential is being maliciously destroyed by those who view them as a “meal ticket” who can be leveraged for legal strategy and financial gain. Our current statutes provide fertile soil for far-too-many less than ethical attorneys – more interested in the numbers on a financial affidavit than they are in the ages of their client’s children.

By adopting a presumption of equally shared parenting post divorce, subject to review for legitimate and well-documented exceptions, it is my firm belief that a substantial number of cases would never bear the label of “contested” or “limited contested.” Six years ago, my daughters were 14 and 11. Our family had no debt, substantial savings, and substantial equity in a home we had purchased 14 years earlier. Little did I realize as our marriage failed that families like us were prime targets for the bottom-feeders carefully stalking their next prey.

Eliminate the opportunity for children to be used as financial pawns in a perverse game of legal chess and you likely preserve assets that should rightfully be used to fund their education, rather than the vacation homes of their attorneys.

I must also take exception to those Task Force members who have, in an earlier hearing, suggested that the oversight provided by the Statewide Grievance Committee and/or Judicial Review Council are legitimate alternatives for peer review. This is simply not true and has further contributed to the breadth and depth of the issues harming children and families in the State of Connecticut.

“Our lives begin to end the day we become silent about things that matter.”

— — Dr. Martin Luther King, Jr.

My children matter to me. All children matter to me. The time for talk has past, the time for action is upon us. Don't kick this can down the road any longer, recommend we take action on changes that will immediately benefit the children and families throughout the entire State of Connecticut.