



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

Testimony of Attorney Shirley Pripstein, Greater Hartford Legal Aid, Inc.

The Legal Service family law attorneys in Connecticut **oppose** legislation that would create a presumption that shared parenting is the best interest of minor children for the following reasons:

- There is no empirical evidence that shared parenting is, in fact, in the best interest of minor children.
- A shared parenting presumption is a cookie-cutter approach that puts the emphasis on the rights of the parents rather than on the best interest of children.
- A shared parenting arrangement may be in the best interest of children whose parents are committed to living in the same school district and making shared parenting work, but it is clearly not in the best interest of the majority of children whose custody is determined by the courts. These are children whose parents may have never cohabited or developed the communication and compromise skills necessary to making a shared parenting arrangement a comforting situation for the child.
- Shared parenting is particularly inappropriate when the parents live in different towns, making choice of school districts and sports teams an issue.
- Shared parenting is particularly inappropriate when there is a history of domestic violence between the parents, which is concrete evidence that at least one of the parents lacks communication and compromise skills necessary for co-parenting.
- Shared parenting is particularly inappropriate when one of the parents has substance abuse or mental health issues that would negatively impact the child.

Connecticut has a well-thought out child custody statute, enacted eight years ago in 2005, which sets forth sixteen factors for the court to consider when making orders of child custody and apportioning time between parents.

These factors appropriately recognize and attempt to balance the need of a child for stability against the need of a child for contact with both parents, and recognize that there are other factors that the court should consider in deciding what orders to make regarding child custody when the parents are unable to agree. A shared parenting presumption is a thinly disguised and ill-advised attempt to elevate the parental time considerations above the other factors set forth in our statutes, and should be rejected by this task force.