

Members

TESTIMONY FOR PUBLIC HEARING

The Task Force to Study Legal Disputes Involving the Care & Custody of Minor Children  
Connecticut Legislature  
c/o Legislative Judiciary Committee Office  
Legislative Office Building/Office 2500  
Hartford, CT 06106

Thursday, January 9, 2014

Dear Task Force Members:

To start with, I want you to know that I did get custody of my three children, so this testimony is not disgruntled.

I filed for divorce in July 2006. At that time, I knew nothing about divorce and custody matters. Both my ex-husband and I filed for joint custody which by law should simply have been granted.

Instead, both our attorneys immediately insisted that we needed a custody evaluator and a GAL. Just knowing we were in competition for custody of our children eventually led to conflict.

Because of our attorney's inaction, It took a full year before we had a parenting plan and two before we could establish a court ordered financial agreement.

I believe this was a set up to create conflict. Then the GAL, the custody evaluator, and the attorneys in the case, and the Court turned my ex husband into a monster by allowing him to freely disobey any stipulations, any agreements, as well as other legal requirements such as financial discovery.

In particular, the GALs and the Custody Evaluators created conflict by interviewing both my ex husband and me for hours at a time, at each interview interrogating us with lists of accusations which they stated had come from the other spouse.

For an example, in my GAL bill of November 13, 2006 the GAL interviewed both my ex and me for as long as 3 ½ hours.

I was informed of the GAL's appointment by letter. This letter did not state what the duties and responsibilities of the GAL would be, but only stated how much I would be expected to pay and how much of a retainer I should provide.

My attorney said the GAL would speak to neighbors, teachers, my immediate family, and medical practitioners about my children, my ex-husband and me. In order to allow

her complete access, I signed all the waivers that were required. But she never spoke to these people.

Instead, the GAL called three pastors of my church, and the attorney for the church who stated that the pastors invoked their legal right to confidentiality. The GAL also contacted a psychiatrist who was conducting a psychiatric evaluation of me (but had not yet completed his work), my current therapist, and a therapist I'd worked with a decade ago when I lived in Boston. She did not speak to my ex-husband's therapist, since I guess his mental health didn't concern her!

In addition, the GAL contacted the three principals of the schools my children were attending who generally did not have much direct contact either with me or my children on a daily basis.

Then the GAL ignored people who would have something relevant to say. For example, Two of my children have ocular-cutaneous albinism. This means that the children are sun sensitive and are legally blind and require special care. Thus, they have received services from the Board of Education and Services to the Blind from infancy. In addition, they are closely followed by a Dermatologist due to their skin condition.

This means that for eight years, I had caseworkers from the Board of Education and Services For the Blind visit me and the children in my home on a weekly basis in order to work with the children and train me to parent my children effectively in the light of their disabilities. So my parenting abilities had already been under scrutiny by professionals for eight years already before the GAL appeared.

Nonetheless, the GAL in our case did not bother to contact this caseworker to discuss her observations regarding her eight years of visits to our home and her weekly observations during that time of my parenting skills and my ex-husband's parenting skills. She also did not call my children's pediatrician and she did not bother to call their dermatologist or their ophthalmologist.

In addition, as I have said, she did not call anyone on the list of neighbors or extended family that I gave her.

When I asked her why she did not make these phone calls she said because these people would be prejudiced in my favor. My guess is that the real reason is that it would have meant that her work was over and she couldn't charge us any more money.

The GAL attended 19 hours of court hearings where she very rarely spoke or contributed any insights in regard to the issues relating to the children.

Also, the GAL charged for 31 hours of phone calls, but did not state who she is supposed to have called and for what purpose.

The GAL stated she spent 18 hours writing notes and summaries of her work and a final recommendation, but I never saw any of them. Further, when I asked in a motion to have verification that this work had been done, by court order, I was not allowed to see a copy of any of these items. Later, I did a deposition of the custody evaluator in my case, and he stated that he did not have this final recommendation from the GAL.

Behind my back, the GAL also tried to cause me harm.

For example, in August 2007, when I obtained a copy of the custody evaluator's report, I noticed that the evaluator had based his findings on a "letter" the GAL had written dated November 7, 2006. In fact it wasn't a letter. In January 2010, I discovered it was a 9 page single spaced typed report trashing my reputation and calling into question my mental health.

In her words, "I am concerned that Elizabeth has a chronic and debilitating mental illness."

By the time the custody issues were resolved, I'd had five mental health professionals-- 1 psychiatrist, 3 psychologists, and 1 licensed mental health counselor--testify to the effect that I do not have a mental health disability. I paid the psychiatrist \$10,000 for his evaluation, which was apparently not good enough for the GAL.

It is a violation of Title II of the ADA to discriminate against people who have mental health disabilities and also to discriminate against people who are falsely perceived as having mental health disabilities that they do not have.

Nonetheless, the Connecticut Judicial Branch and its vendors, the GALs, are not compliant with the ADA and have a record of labeling people with mental health disabilities they do not have and using these labels as a justification for denying people their right to parent their children.

If I had been informed of the GAL's November 7, 2006 report, not letter, I could have done something defend myself, but I never knew it existed. While the report was not copied to the attorneys, I suspect they had received a verbal report from the GAL. Otherwise, I have no other explanation for the completely incompetent representation that I received from my attorneys.

The GAL reported that she spent 35 hours reading faxes, letters, and motions. I am sure she did since she repeatedly ignored her responsibilities to the children and the many communications I sent her begging for her help with the children.

Most particularly, she did absolutely nothing when, for example, I reported repeated incidents where my ex-husband refused to use sun protection with my children who have albinism to the point where they returned home with sunburned, peeling, and blistered skin.

In the end, the GAL charged a total of approximately \$24,000 in a single year, resigned and was replaced by another useless GAL who, up to this point, has charged an additional \$26,000 for a total of \$50,000. Further, my case continued to drag on for another five years.

My GAL fees are nothing in contrast to what I've heard from other cases. However, as a result of the GAL's incompetence, and the way my attorneys used her to stir up conflict, I ended up being charged \$200,000 to retain custody. This is outrageous.

My recommendations to resolve these difficulties are as follows:

GAL fees must be capped.

GALs must be held accountable.

GALs must have specific tasks assigned to them

GALs must obey ADA law.

Respectfully Submitted,

Elizabeth A. Richter  
7 Queens Peak Road  
Canton, CT 06019  
860-693-9028  
earichter@aol.com

**CHARLOTTE J. STAMOS, LCSW**  
LICENSED CLINICAL SOCIAL WORKER  
67 HARTWELL ROAD  
WEST HARTFORD, CONNECTICUT 06117  
TELEPHONE (860) 550-4010

August 22, 2006

Mrs. Elizabeth Richter  
7 Queens Peak Road  
Canton, CT. 06019

Dr. Alexander Richter  
7 Queens Peak Road  
Canton, CT 06019

Re: Guardian Ad Litem for minors: [REDACTED]

Dear Mrs. Richter and Dr. Richter,

I was recently appointed by the Court to act as Guardian Ad Litem for your children, [REDACTED] and [REDACTED]. The purpose of this letter is to confirm the fee arrangement for my services in that regard.

I understand that the court ordered you to split my fees equally. I will bill at an hourly rate of \$150.00 for all time dedicated to this matter. All out-of-pocket costs will be your responsibility. You will receive monthly bills indicating the amount of time spent or costs incurred on this file with the charges for that time. I am at this time requesting a retainer of \$3,000 (\$1,500 from each of you). If and when the initial retainer is exhausted, you will each pay fifty percent (50%) of any balance owed on a monthly basis.

The fact that you have agreed to pay my fee will have absolutely no bearing on my representation of [REDACTED]. I will be available to discuss with you your concerns regarding them as the case develops and whenever you feel it necessary. My hope is that I can work with the two of you to reduce the conflict(s) between you, as I believe that is and will be in the children's best interest. There is no privilege that attaches to any communication between me and either of the parents.

At this time I am requesting that you call me to set up separate appointments so that I can gain an understanding of your perspectives.

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I would appreciate your signing and dating the original of this retainer agreement and returning the document to me in the envelope provided. The second copy is for your records.

I hereby accept the terms of representation as set forth above.

Dated 09/16/06 Elizabeth Richter

Very truly yours,

*Charlotte J. Stamos*

Charlotte J. Stamos LCSW

xc: Attorney Donald J. Cantor  
Attorney Edith F. McClure

67 HARTWELL Rd.  
W. HART, CT 06117

Copy

**CHARLOTTE J. STAMOS, LCSW**  
WEST HARTFORD, CONNECTICUT  
PHONE: 860 550-4010 FAX 860 586-8910

November 13, 2006

Attorney Donald J. Cantor  
21 Oak Street, Suite 310  
Hartford, CT 06106

Attorney Edith McClure  
433 South Main Street, Suite 201  
West Hartford, CT 06110

Dear Counselors,

I am sending you a list of contacts and an accounting of the time that I have spent on this matter since the Richters paid my retainer of \$3000.00 in August of this year. Our contract states that I will charge a rate of \$150.00 per hour. Although our contract also states that I will bill them monthly this is my first bill. I apologize for any unconvinced this may cause.

**INTERVIEWS**

August 22, 2006	2, 15 Hours	Elizabeth
August 10, 2006	3.30 Hours	Alex
September 6, 2006	1.30 Hours	Mrs. Saunders
September 15, 2006	3.00 Hours	Elizabeth
September 16, 2006	2.30 Hours	Alex
September 21, 2006	3:30 Hours	Elizabeth
September 23, 2006	2.30 Hours	Alex
September 25, 2006	1.45 Hours	Elizabeth and children
September 26, 2006	3.15 Hours	Elizabeth
October 4, 2006	3.30 Hours	Elizabeth
October 5, 2006	1.30 Hours	Alex and children
October 6, 2006	3.00 Hours	Alex
October 13, 2006	2.00 Hours	Alex
October 17, 2006	1, 45 Hours	Elizabeth, Alex and children
October 18, 2006	1.30 Hours	Alex

Reviewing, Consolidating Notes Writing Summaries

October 5, 2006	4.00 Hours	Writing summary
October 9, 2006	1.00 Hours	Writing summary

**Phone Calls**

Time spent on phone calls 8 Hours

Total Hours	50.00 Hours @ \$150.00	\$7,500.00
Minus Retainer		3,000.00
		4,500.00

Total Amount Due as of October 31, 2006            \$4,500.00

Mrs., Richter amount due	\$2250.00
Mr. Richter DVM amount due	\$2250.00

Thank you for your kind attention to this matter.

Very truly yours,

  
Charlotte J. Stamos LCSW

Cc Mrs. Elizabeth Richter  
Mr. Alex Richter



**CHARLOTTE J. STAMOS, LCSW**  
WEST HARTFORD, CONNECTICUT  
PHONE: 860 550-4010 FAX 860 586-8910

December 11, 2006

Attorney Donald J. Cantor  
21 Oak Street, Suite 310  
Hartford, CT 06106

Attorney Edith McClure  
433 South Main Street, Suite 201  
West Hartford, CT 06110

Dear Counselors,

I am sending you a list of contacts and an accounting of the time that I have spent on this matter since my last bill dated November 13, 2006. Our contract states that I will charge a rate of \$150.00 per hour. This is the bill for the hours spent on this case during November of 2006.

**INTERVIEWS**

November 6, 2006

2.15 Hours Elizabeth

November 9, 2006

1.15 Hours Dr. Black

Letters, Phone Calls, Phone Conversations, Notes

8.00 Hours

Pastor Larry Smith

Associate Pastor Steve Johnson, Ph. D.

Interim Pastor Todd Williams

Associate Pastor Conrad Coch

Vivian Kotler-Haas MA. LPC

Donald Grayson M.D.

Jeffrey Jampel Ph. D.

Principal Joseph Scheideler

Principal Jordan Grossman

Principal Andrew Robins

Attorney Robert Reeve

Reviewing, Consolidating Notes Writing Summaries

11.00 Hours

Total Hours 22.30 Hours

Total Amount Due as of November 30, 2006

\$3375.00

Mrs. Richter amount due

\$1687.00

Alex Richter DVM

\$1687.00

Thank you for your kind attention to this matter.

Very truly yours,

  
Charlotte J. Stamos LCSW

Cc Mrs. Elizabeth Richter  
Alex Richter DVM

**CHARLOTTE J. STAMOS, LCSW**  
**WEST HARTFORD, CONNECTICUT**  
**PHONE: 860 550-4010 FAX 860 586-8910**

November 7, 2007

Attorney Eliot J. Nerenberg  
 10 North Main St.  
 West Hartford, CT 06107

Attorney Edith McClure  
 433 South Main Street, Suite 201  
 West Hartford, CT 06110

Dear Counselors:

I am sending you an accounting of the time that I have spent on this matter since my last bill dated December 11, 2006. My contract with Mrs. Elizabeth Richter and Mr. Alex Richter states that I will charge at a rate of \$150.00 per hour. This is the bill for the hours spent on this case since the December 11, 2006 bill which included everything up to and including November 30, 2006. Mr. and Mrs. Richter have a balance owed of \$500.00 from this last billing.

When we were in Court on October 30, 2007, I asked the Judge to order that my bill be paid when the monies were being dispersed at the final settlement. The judge agreed and asked that I submit my bill to you before November 14, 2007. I am doing so now.

**Interviews:**

December 15, 2006	Elizabeth	2.5 hours
January 2, 2007	Alex Concord MA	5.00
January 8, 2007	Attorney Donald Cantor	
	Attorney Edith McClure	1.25
January 25, 2007	Dr. Black	1.25
August 15, 2007	Attorney James Flaherty	
	Attorney Edith McClure	
	Dr. James Black	1.5
June 16, 2007	[REDACTED]	
	Alex Concord MA	5.5
July 30, 2007	[REDACTED]	
	Alex	1.5
July 30, 2007	Dr. Black	1.75
October 4, 2007	Attorney Eliot Nerenberg	2.00

**Court:**

March 21, 2007	1.5
June 20, 2007	2.5
June 27, 2007	2.5
August 13, 2007	1.25
August 21, 2007	3.5

(Richter bill continued)

September 5, 2007 3.00  
September 25, 2007 2.00  
September 27, 2007 1.25  
October 30, 2007 1.5

Summary of issues and concerns  
Outline recommendations 2.00

Fax, letters, motions written and sent 2.00

Read and assess correspondence 35.5  
1399 pieces of correspondence  
Letters, motions, fax

Phone calls 23.5

Total Hours 104.25  
Amount Due \$15637.50  
Balance Due (12/11/06) 500.00  
Total Amount Due \$16,137.50

Elizabeth Richter Amount Due \$8068.00  
Alex Richter Amount Due \$8068.00

Thank you for your kind attention to this matter.

Very truly yours,



Charlotte J. Stamos LCSW

cc: Mrs. Elizabeth Richter  
Alex Richter, DVM