The Connecticut General Assembly

Task Force To Study Legal Disputes Involving the Care and Custody of Minor Children

Co-Chairs:

Sue Cousineau, Esq.

Sharon Wicks Dornfeld, Esq.

c/o Judiciary Committee, Room 2500
Legislative Office Building
Hartford, CT 06106

Email: LDCC@cga.ct.gov

DRAFT

Minutes

Thursday, October 24, 2013
Room 1E

Attendance: Chairperson Sue Cousineau, Esq., Chairperson Sharon Wicks Dornfeld, Esq., Joseph J. DiTunno, Rep. Minnie Gonzalez, Elizabeth Thayer, PhD., Rep. Ed Vargas, Jennifer Verraneault, Thomas Weissmuller, Esq. Absent: Linda Allard, Esq

Protocol: Chairperson Cousineau advised of the emergency evacuation procedures for hearing room 1E. Meeting was called to order at 10:13 in order to accommodate all members' attendance. The public was welcomed and the protocol for conduct of the public was explained.

Introduction: For the benefit of the members who could not attend the last meeting, each member introduced themselves and explained their background. Chairperson Dornfeld expressed understanding of the difficult subject matter with winners and losers. However, the goals of the task force are to be achieved through information sharing in a respectful and collegial manner.

Discussion:

- Due to time constraints, Representative Hovey has resigned from the task force. Consequently, there is an opening to be filled by the appointing authority.
- Member expressed concern that the task force was not on the General Assembly website. Explanation included that each task force has a web page on the home page of the committee that raised the enacting legislation. To achieve uniformity and equality, this is the same location format utilized by all task forces of the General Assembly.

Minutes: Minutes of the Oct. 2, 2013 meeting were amended to reflect:

- On first page, last line, delete "GAS" and insert "GAL"; and
- A public hearing was, in fact, agreed upon however no specific date had been decided.
- A motion to accept the minutes was made by Thomas Weissmuller, seconded by Joseph DiTunno.

Timeline & Scheduling:

- Members did not reach conclusion on the possibility of not finishing the objectives of the task force by the legislative reporting deadline of February 1, 2014.
- Chairperson Dornfeld explained the task force currently has an aggressive meeting schedule and would try to comply with the original end date. If in January the group finds the goal was unrealistic, options for extending the deadline could be revisited at that time.
- Chairs encouraged members to complete the Doodle meeting survey for January.

Action Items from Oct. 2, 2013 Meeting:

- Relevant statute sections have been distributed to members and are available on the task force webpage. These will be the operative statutes the group would be working under in the absence of members identifying any additional statutes.
- Judicial Branch supplied data regarding information requested by the chairs. Handouts were distributed and will be on the web page.
- Roles and duties of GALs will be distributed at a later meeting.

Breaking Down the Issues: Meeting schedule was distributed. Two meetings each to discuss the charge as follows:

- 10/31 & 11/7 *Role of Guardian ad litem and Attorney for the Minor Child.*
- 11/26 & 12/10 *Extent of Noncompliance w/CGS §46b-56(c)(6).*
- 12/10 & 12/12 *Should state adopt presumption of shared custody?*

Invited experts would explain the current process in factual assessment of the current culture with no bias or manipulation of outcomes. The public hearing will be the opportunity to hear from the people who can speak to their personal experience. Based on the totality of the information received, the task force would then determine suggestions for legislation.

Information from the Judicial Branch: The Chairs explained the response from the questions posed to the Judicial Branch. In the response, some items are not tracked. Discussion included:

- Dissolution of Marriage & Custody/Visitation Application-Parent forms were distributed and explained.
- Cases involving GALs &AMCs information was not available. Discussion included a time certain appearance period rather than the current practice of ambiguous GAL/AMC time involvement.
- Many judicial districts treat cases quite differently based on case load and court resources.
- Explanation of Appearance Forms, multiple parties, "uncontested" dispositions, regional family trial dockets, special masters and the early intervention program.
- GAL fees were discussed including fee affidavits. Discussion included how to randomly sample cases to determine fees spent on GALs
- Noted that prolonged timing to final judgment is not beneficial to anyone especially children.
- Recommendation to get uniformity for rules.
- Joseph DiTunno offered to report back at a future date with a comprehensive report of the services available to families through CSSD.
- Recommendation for quicker resolution especially with contempt motions.
- Frustration over parties waiting in court for cases to be heard.

Other Discussion: Discussion digressed to items of concern concerning the GALs, fee costs and frustration with the Judicial Branch. Chairs curtailed lengthy discussion in order to stay on topic and reiterated the opportunity for members to discuss the issues at the later, appropriate dates devoted to the topic.

Motion was made to adjourn the meeting by Chairperson Cousineau and seconded by Elizabeth Thayer. Meeting adjourned at 12:07 pm.