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## BEFORE YOU STEP ONE FOOT INTO FAMILY COURT – READ THIS!

By Wendy Murphy Jan. 17, 2014

A colleague of mine, Anne Stevenson, recently testified before the Connecticut legislature on behalf of good parents and ethical court employees who feared retribution if they spoke up themselves against the corruption, fraud and shady deals in Connecticut's family court system.

The content of her testimony is critically important, and not widely understood, so I agreed to post it here to provide folks with a better understanding of how the "divorce industry" in Connecticut is ruining families financially, and subjecting children to dangerous custody arrangements.



Her proposed changes for reform, set forth below, were provided to the Connecticut legislature but are applicable to other states as well because the problems in Connecticut are systemic in American family courts.

Wendy

(1) Court appointments for mental health services should be made with due preference given to providers who accept the parent's insurance. Parents are too often ordered to obtain mental health services from providers who do not accept their insurance. This forces parents to pay out of pocket, leaving many literally bankrupt.

Some of the cases involve insurance fraud and the deliberate misdiagnosis of parents as having mental illnesses when they are perfectly healthy, and prescribing medicine and treatments the patient does not need.

(2) GALs and court personnel should have to submit statements of financial interest, just like the ones judge's must fill out every year. These statements should be provided to the litigants prior to a GAL's appointment or assignment to a case, and published on the Judicial Branch's website (alongside the Judge's statements of financial interest). This way, parents and professionals alike can avert conflicts of interest before they have a chance to affect the integrity of a case.

(3) Courts should track the number of assignments each family court industry professional (GAL, expert, visitation supervisors, etc.) receives, and make that information available to the public on the Judicial Branch's website. GAL caseloads are not accurately reported or tracked according to the attorney's vendor number, as required by law. Moreover, appointments of GALs and other professionals are not trackable in the current system. All vendors appointed and assigned to cases need to be assigned vendor numbers and tracked the same way attorneys are tracked, and the information must be made available to the public.

(4) Task Force panels should be created to collect data about the problem of industry professionals misusing the system, and appropriate cases should be referred to appropriate professional oversight authorities. Many parents testified in Connecticut that they were victims of fraud. They had their life savings, their children, their

personal safety, their employment destroyed due to unethical professionals assigned to their case who created problems they could then profitably “solve” in what sounded like false billing scams and extortion. Parents also testified that despite having filed formal complaints against the various professionals to oversight boards, their complaints were thrown out without any meaningful investigation. The names of court-appointed “favorites” came up over and over again. A task force in every state should be created to obtain statistics on how many complaints are filed against court “favorites” and whether oversight authorities like professional mental health licensing boards, Judicial Review Commissions and Board of Bar Overseers are effectively responding to the complaints.

(5) The Judicial Branch should get out of the GAL training business. Many GALs are “certified” using the Judicial Branch’s FREE AFCC training program. States should not be spending tax dollars training private attorneys and psychologists to be “certified” as GALs who are then effectively “supervised” by the Judicial Branch. In Connecticut, such certification practices have led to harmful results in part because there is no “decertification” process to prevent substandard actions that hurt families. While judges have authority to sanction GALs, no GAL has ever been sanctioned for misconduct in Connecticut despite countless reports of misconduct and poor decision-making

Training and oversight of GALs (and supervised visitation professionals) should be removed from the authority of the Judicial Branch.

(6) GALs and Supervised Visitation professionals need formal training with accreditation from public health and education agencies. GALs and supervised visitation professionals oversee vulnerable families, many of which include victims of violent crimes. In Connecticut, you cannot represent children as an attorney unless you complete 20+ years of formal education, plus various exams and accreditation reviews. In fact, you cannot run a daycare center without passing various exams and receiving accreditation from agencies such as the Department of Public Health, which then provides oversight and continuing education, etc.

But when victims of violent crimes and abuse come to family court, there are no standards whatsoever to ensure that the professionals making decisions about children are similarly experienced and capable of acting in children’s best interests.

Dangerous criminals are allowed to serve as visitation supervisors and even GALs and judges have authority to appoint them to positions where their actions and decisions threaten the well-being of children.

There is no accreditation, no security for children and no place to file a complaint when parents get ripped off or the untrained professional provides false or misleading statements to the court, or provides inadequate services.

(7) Courts need to track how often offenders obtain custody when an allegation of violent crime is raised or when a restraining order is in place. There is much dispute about the frequency with which abusers win custody of their victims, but one thing is certain: Courts often place the parental and property rights of offenders seeking control and ownership of victims over the rights of children to be safe. Decisions often rest on the recommendations of family court industry professionals who earn a lot of money off the endless [sometime inconclusive] assessments and billable hours they purport to spend in the name of “advocacy,” “investigation” and mental health services.

One man in Connecticut was labeled a “jealous ex” by family services when he requested information concerning his children’s whereabouts and the identity of individuals who were caring for them. His ex-wife’s new boyfriend was subsequently arrested for brutally murdering his son.

<http://www.cga.ct.gov/jud/ldcc/Testimony/January%2009/Garcia%20III,%20Pedro.pdf>

[http://www.wtnh.com/news/crime/news\\_ap\\_meriden\\_man\\_arraigned\\_toddlers\\_death\\_200910131615](http://www.wtnh.com/news/crime/news_ap_meriden_man_arraigned_toddlers_death_200910131615)

Other testimony included a mom who read from police reports which explained how her ex was arrested for various violent crimes, with multiple weapons, and that police had to taser him to subdue him because he was so rageful. She showed pictures of young girls the same age as her daughters posing naked in suggestive poses with naked grown men, that her children’s father had

allegedly posted on his Pinterest account. Although the man submitted written testimony admitting he had done this, the GAL did not refer the case for prosecution after concluding that the photos were “art.” The GAL then blamed the victims for reporting the matter, and fought to help the offender get custody and overnight visits with his daughters.

<http://www.ctpost.com/police-reports/article/Cops-Man-violating-protective-order-hit-with-3403278.php>

Another woman described how when she sought treatment for injuries her son allegedly sustained at his father’s hands during a brutal rape (confirmed later by medical professionals), the judge gave the father sole custody and revoked the mother’s rights even though there was no finding that the other was unfit or that she had abused or neglected her child. After paying out over \$1 million in legal expenses, the mom was left without sufficient funds to purchase her parenting time and has not seen her child [who remains with the alleged perpetrator] in nearly 2 years.

<http://www.cga.ct.gov/jud/ldcc/Testimony/January%209/Kelley,%20Sunny.pdf>

(8) CSSD should no longer accept grants requiring it to incentivize decision-makers to remove children from a fit parent’s home and place children with identified predators. Many parents testified about court decisions that arbitrarily revoked their custody rights, only to have the family court industry professionals then effectively “sell” them back their parenting time back in what one man called a “pay per view” racket, where good parents could only visit with their children if they paid for therapy, assessments, court dates, and supervised visitation programs prescribed by the courts.

(9) CSSD should no longer accept grants requiring it to arbitrarily discriminate against parents on the basis of gender or marital status.

Testimony in Connecticut revealed many problematic CSSD programs funded by HHS Access and Visitation, VAWA, and Responsible Fatherhood grants. If you look at the grant applications and MOA for the Fatherhood program, for example, you can see that state officials sign agreements with several other State agencies, INCLUDING THE DEPT OF CORRECTIONS AND DEPT OF PAROLE, to help dangerous offenders obtain custody. In a section of the grant reports from Connecticut labeled “Problem Solving Court,” CSSD is clearly working overtime to help drug addicts, violent offenders, and violent parents with serious mental illnesses get custody of victimized children.

<http://www.scribd.com/doc/126298352/CT-Family-Court-Grants-Fatherhood-Access-and-Visitation-DOJ>

Testimony also detailed the way that assessments and recommendations made by CSSD about parenting plans were often defective, and placed children in profitably dangerous homes without due consideration for their well-being. The stated purpose of these grants is to help good fathers, but the funding incentives create dangerous conditions for kids because the grant money is intended to provide even incarcerated prisoners with “technical assistance” so they can obtain visitation rights, avoid criminal penalties and seek “reunification” therapy with children they are not fit to be around.

The infamous Connecticut murderer Joshua Komisarjevsky was a beneficiary of misguided funding incentives when he obtained sole custody of his daughter despite the fact that he was a drug addict on parole and wore a GPS bracelet to the custody hearing. His parole records detail the ways the Dept. of Corrections was encouraging him to sue for custody and helping him obtain resources to assist him with his case. The Hartford Courant reported that Komisarjevsky’s case was approved by Family Services as an appropriate candidate for “Conflict Resolution” in family court, (thus allowing the flow of grant monies) as if the guy was no different than a bickering parent. A few weeks after obtaining custody of his daughter, he murdered the Petit family after raping 11-year-old Michaela.

<http://www.scribd.com/doc/194782665/Komisarjevsky-Paternity-Case-and-Parole-Records>

Another distraught parent testified the judge in his case repeatedly refused to enforce orders to facilitate his parenting time. The GAL withheld his son’s education records from him, and the

court was initially ineffective at protecting his parental rights to see his son's file. When he finally received a copy of the records, he learned that an accused prolific pedophile priest named Richard McGann was on the list of adults approved to pick up his son from school—but he, the father, was not. The man hasn't seen his son in years.

<http://www.cga.ct.gov/jud/ldcc/Testimony/January%209/Tolmoff,%20Ron.pdf>

A national non-profit that advocates for priest abuse victims, SNAP, discovered McGann's whereabouts and reported to DPH that the guy was living at a day care center and that the archdiocese had suspended McGann from the priesthood and paid out "a substantial amount" in connection with allegations McGann repeatedly raped and exploited children during his tenure as a priest.

[Predator lives at day care center, groups say. »](#)

While the Fatherhood grant agreement requires DPH to work on behalf of "fit" fathers, the system appears to be working more effectively on behalf of predators like McGann, which makes sense given that the grant money can only be justified if offenders and noncustodial parents are able to increase their time with children.

(10) Courts should not be contracting with the AFCC, and State workers who are running it should be fired. State Judicial Branch employees should not be using their offices and taxpayer money to run a private trade association that promotes the family court industry and the "collaborative efforts" of the AFCC professionals who do business in their courtrooms. Based on the number of complaints about GALs alone, the GAL trainings should not be allowed to use an AFCC curriculum, and the judicial branch should not be allowed to contract with AFCC to set up family court services.

Testimony included shocking stories about judges collaborating with certain attorneys and psychologists and effectively operating a private trade association for family court professionals from their state offices, and funding it with the money allocated by the government to family courts which are supposed to HELP families, not FUND an industry. The documents filed with the Sec. of State in Connecticut showed that Judicial Branch employees were listed as directors and officers of entities benefitting from the disbursement of these grant monies.

Brave parents in Connecticut testified about their concerns regarding the apparent "collusion" between AFCC leaders and family court professionals. Many testified that AFCC leaders and members do not disclose their conflict of interest to the families whose cases they influence, and because the AFCC leaders are State employees promoting the private industry complained of, this creates a disincentive to discipline any AFCC members or to even acknowledge there is a problem. They do not tell litigants, for example, that they are in business together. Who could possibly hope to have a judge hold AFCC accountable for a conflict of interest when the courts directly benefit from the conflict?

In addition to testimony about the AFCC's involvement with GALs, many people testified that Family Services' screening intake assessments were defective because they failed to accurately discern between fit loving parents and violent offenders who are not.

Important testimony on that point can be found here:

<http://www.cga.ct.gov/jud/ldcc/Testimony/January%209/Szymonik,%20Peter.pdf>

The list of AFCC affiliates can be found here:

- [http://www.cga.ct.gov/jud/ldcc/Testimony/January%209/Szymonic,%20Peter%20\(2\).pdf](http://www.cga.ct.gov/jud/ldcc/Testimony/January%209/Szymonic,%20Peter%20(2).pdf)

You can read up on AFCC's history in the Connecticut courts below. Please note that the old newsletters show that in many cases, CSSD administrators who served as AFCC officers were raising money for the AFCC from the public and family court industry professionals with instructions to mail that funding directly to their Judicial Branch offices during times when the corporation was not registered to do business in Connecticut. These administrators oversee HHS Access and Visitation programs, VAWA, and Responsible Fatherhood programs and their funding.

<http://www.scribd.com/doc/134247461/AFCC-CT-Judicial-Branch-Taxpayer-Funded-GAL-Training-Boon>

You can also read about how CSSD came to hire the AFCC: The attached newsletters show that:

(a) In 2001, CSSD director Robert Tompkins received an award from AFCC for his outstanding member contributions.

(b) In 2002, Grant sat on the AFCC's Board of Directors.

In 2002, CSSD awarded the AFCC a [taxpayer funded] contract to overhaul the family court's case intake protocols and address the court's federal Access and Visitation program and growing number of "high conflict" cases.

The Family Civil Intake Assessment Project in the Connecticut family courts reports were apparently peddled as "independent research," a collaboration between disinterested professionals and the researchers from AFCC. The reports can be found here:

[Family Civil Intake Assessment Screen Project »](#)

You can read up on how CSSD family court personnel allowed their names and time to be used by the AFCC to promote AFCC "task force" activities here:

<http://www2583.sslidomain.com/afccnet/pdfs/AFCC%20Five-Year%20Report%20Web.pdf>

(11) Complaints about family courts should be referred to the Department of Justice, and the Department of Health and Human Services, for investigation. Testimony in Connecticut included reports of widespread complaints from parents that they were being victimized by fraud and false billing scams, and that they were wrongfully losing custody because they were falsely discredited. Nearly all these parents (who did not know each other and were from all walks of life and geographic areas) had good reputations and voiced the **same** complaints about the misconduct in their family court cases, but were all treated as liars and unfit parents. By contrast, the State Auditor found that CSSD has misappropriated millions of dollars in family court-related matters, yet no one was discredited and the misappropriation activities were never referred to law enforcement for prosecution.

*In the absence of meaningful oversight by the states, federal oversight agencies such as the DHHS and the DOJ must step in and investigate.*

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