

Tony Mosesso

From: Victoria Larson <victoriamlarson@comcast.net>
Sent: Monday, June 02, 2014 8:39 PM
To: Tony Mosesso
Subject: PLEASE READ ALOUD AND PLACE IN THE RECORD RE: House Bill 5082 Regarding Parenting Time and Creation of a Parent Coordinator Position

*I cannot attend tomorrow's meeting regarding House Bill 5082,
so I am sending this e-mail to you as the Committee Clerk and the other members of the
Committee
and ask that you please read it aloud and have it placed into the committee records.*

With the letter we ask the members of the Judiciary committee vote against this bill # 5082 regarding creation of a "Parenting Time Coordinator". There are several compelling reasons to do.

Our society claims to value families. Our laws aim to protect our rights to privacy, freedom, to ensure a parent's right to raise and educate their children as they see fit without the State's unwarranted usurpation, disregard, or disrespect.

Yet this bill does exactly that – by creating a class of service providers called "Parent Coordinators" who would have the "authority" to "implement the parenting time orders of the court and help resolve parenting disputes" and to do so with complete judicial immunity. Further, there is no mechanism for realistic appeal or accountability.

Yes, the bill states that the parties must "agree" to the use of a Parent Coordinator. But that provision is meaningless as the presiding judge would likely be supporting the appointment and few people in the throes of a contentious divorce would ever dare to disagree with the judge. The potential loss that could result from angering a judge is too great. Besides, people are at their worst, confused and overwhelmed during a divorce.

This bill seems like "Judicial Out sourcing". In fact, the lines of responsibility are not clear, nor is oversight or supervision apparent or provided – which appears intentional.

An unanswered question also is: why was the public not asked to be involved in writing this so that the invasiveness and concerns for civil rights of clients could be included, thus insuring that existing and known problems with the existing system are not perpetuated?

Another issue that troubles us is that there is no proposal about fees, caps on fees, means testing and the economic impact on those who would be using this service. Money, as usual, is clearly a concern as it is addressed in the bill several times right from the start with reference to what happens if the Parent Coordinator isn't paid. Yet what about the impact on the user? That seems to have not been considered at all while the full power of the courts is available to insure that the Parent Coordinator gets paid.

There is growing concern that getting a divorce in Michigan is becoming a financial growth industry for those who benefit from the divorce and custody process including lawyers, Guardians ad litem, parent coordinators. It impoverishes families going through divorce, and it impoverishes their children. In many instances these "helpers" add nothing but confusion and huge expense to a divorce.

So in reality, the bill will result in many families paying to be put under the scrutiny and direction of a Parent Coordinator who is given complete control over virtually every aspect of family life. The depth of control and involvement the PC has over the family and the interference in the most personal and sensitive of decisions is outrageous. And with virtually no mechanism for oversight or complaint, the divorcing parents now have no choice but to follow the dictates and values of the PC in areas that belong to a parent including:

- * Discipline.
- * All Healthcare decision including what, when, who, where and even what will be considered confidential and what isn't.
- * Daily routines.
- * All school related issues including recreation.
- * Friends, visitors.

The Parent Coordinator sets the rules based on his/her personal values not the parents. The PC determines what she thinks is best, and then, if a parent doesn't follow, she can make "recommendations". She serves as the rule setter, the judge, and issues fines and other punishments – all without oversight or supervision.

And it is at great cost to the parents who live in fear of going against the PC and losing their children.

This model for high conflict custody situations –namely, giving a "neutral" person complete access to and control of the most intimate issues within a family and the discretion to pass judgment on the parents themselves as people – has been tried with the GAL system. Around the country, more and more communities are admitting the lasting damage that is being done to families and working to change it.

Lastly, please don't think that GAL's (and PC's, if this bill passes) are appointed rarely and only in cases where the family is clearly deeply troubled. Even if true which it isn't, we believe that even one family destroyed is too many – especially when it can be avoided. There are researched based programs that are being put into place that put the social, personal, emotional and financial needs of the families first – NOT the concerns and needs of the legal system.

We know several people whose lives have been destroyed by the existing intrusive GAL system who operate with complete immunity while bankrupting them. You rarely hear from them because by the time the process is completed they are exhausted, destroyed, and financially ruined and must spend all of their time trying to rebuild their lives. Why, we ask, would you now act to expand a system that has destroyed even one family let alone the thousands that have been impacted? We recognize the value of alternative resolution in divorce and custody proceedings. However, we also ask that if changes are to be made, that they be made with the active input of consumers and the priorities are set that put the families first – not the needs of the judiciary and the legal system. This bill came out of a session whose goal was to improve the efficiency of the courts and yes, high conflict cases take precious hearing time from cases that would benefit from the court's time. But of all the things that need improvement in family court system, reducing the workload is not the top priority when you consider the number of families in crisis. And this bill will simply expand the number of families who will have their very personal lives unended by the involvement of an intrusive and completely unaccountable PC.

Thank you for your consideration.

Victoria Larson
Victoriamlarson@comcast.net
4055 Mont Katnich Court
Grand Rapids, MI 49525

Elaine McCool
15504 See Street
Rogers, AR
elmccool@me.com
616-915-5784

(note: recently moved to Arkansas but I consider Michigan home as my large family remains in the state – where we have been since the 1840’s – and I continue to own property in Michigan.)

Also note: you can’t have “authority” to make “recommendations” as stated in paragraph (3) a. The definition of “authority” is -

- * the right to command: the right or power to enforce rules or give orders*
- * holder of power: somebody or something with official power;*
- * power given to somebody: power to act on behalf of somebody else, or official permission to do something.*

It appears that the intent of the bill is to provide the PC with complete authority over the family yet continues to use the word “recommendation” throughout – perhaps because the word “recommendation” is more positive and collaborative?

