

Testimony in strong Support of SB 2055

Submitted originally to testimony@capitol.hawaii.gov

And as Late Testimony to

SENCHUNOAKLAND@capitol.hawaii.gov

Hearing: January 24, 2008
Time 1.30 p.m
Room 016 State Capital

V

COMMITTEE ON HUMAN SERVICES AND PUBLIC HOUSING

Senator SUZANNE CHUN OAKLAND, Chair

Senator LES IHARA, JR. Vice Chair

From: **Alexandra Murdoch -Haig**
Children's Rights Council Youth Spokesperson

Subj: Testimony in strong Support of SB2055

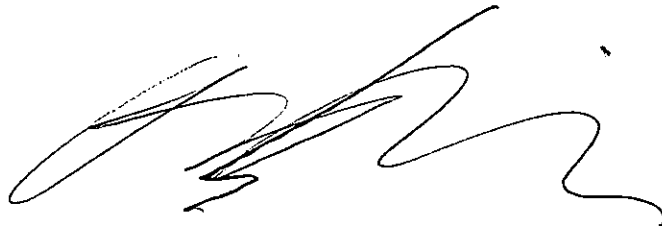
My name is Alexandra Murdoch-Haig.

I am a 15 year old sophomore at Punahou School and I can tell you that there have been several Custody Evaluators in my parent's divorce case which has lasted 13 years and it would have been way better if they had experience about what they were doing and if there had been a mentor overseeing what they were doing, as SB 2055 provides for.

In the last big trial in my parent's case, Linda Martell and Reneau Kennedy were the custody evaluators. They were more interested in having dinner with my Dad and drinking all of his expensive wine than they were in talking to me. Now that I am older and I see what my Mom does when she does supervised visitations and the questions she carefully asks both parents, I realize that neither Linda Martell or Reneau Kennedy were the slightest bit interested in what I wanted or what I had to say. Linda Martell bought me a horse book from Costco, I already had the same book, and we went over the pictures. Reneau Kennedy had me psych tested for over 8 hours by 3 of her guy students. It was fathers day and I left for Europe that night with my Dad. As I remember, each lady came to my Dad's house for dinner two times. They had cocktails and were served dinner by my Dad's maid. Reneau Kennedy swam with me in our pool and borrowed my Mom's stuff but she never got around to asking me the questions a kid should be asked during an in home custody evaluation.

The passage of SB 2055 will make an untrained custody evaluator like Linda Martell and Reneau Kennedy not possible. No one should dictate a kid's life and give opinions to a judge who has no idea of what they are doing. Especially if and they have only done a couple of custody evaluations before. This is really, really bad for the kid. With the passage of SB2055 there will be a legal standard for Custody Evaluators that is consistent with policy developed in other states across the U.S, and also one which will be appealable in the appellate courts.

The Children's Rights Council and their Youth Group strongly believes that SB 2055 should be supported.

A handwritten signature in black ink, appearing to be a stylized name or set of initials, located at the bottom of the page.

January 24, 2008

To: Senator Chun Oakland, Chair
Senator Ihara, Jr., Vice Chair
Committee on Human Services and Public Housing

LATE

From: Tom Marzec

Subj: Testimony **IN STRONG SUPPORT** of **SB2055** re procedures and requirements for child custody evaluator training and certification

Hearing: Thursday, January 24, 2008; 1:30 p.m.; Room 016, State Capitol

I strongly support **SB2055**. As a member of the Family Court Models Committee and SR10 Family Court Legal Interventions Working Group (FCLIWG) that developed this bill, the need for such legislation was identified, professionals were brought together to collaborate on solutions to the issues, and this bill was tailored to fit within an already existing Family Court memo dealing with this very subject.

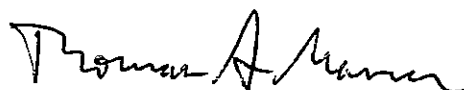
The Committee started with the Family Court Custody Evaluator Standards and Procedures memo, issued June 1, 2007, and also examined California (and some other states) related rules, procedures and legislative language. This resulting bill balances creating statutory requirements, with giving discretion to the Board of Family Court Judges, and Family Court, in developing custody evaluator standards and procedures. The language and intent is consistent with, and builds upon, the family court Custody Evaluator memo, which is already in place.

These custody evaluator standards, procedures, training and certification requirements are needed to ensure we consistently and effectively perform custody evaluations. A lack of standards leads to unpredictable and disparate results, which negatively affect children and parents. This bill has requirements for training and certification which can bring together the various professionals who perform custody evaluations, resulting in cross-training, collaboration and a wider knowledge base and level of understanding for custody evaluators. The certification requirements will ensure that we have qualified custody evaluators who have met the minimum licensing, education, training and experience requirements. This will help ensure that our courts address children, in contested custody cases, with consistently high standards.

This bill, coupled with SB2054 (factors the courts shall consider in determining the best interest of the child), make a powerful impact on how child custody decisions shall be performed and demonstrate the importance the Legislature places on children and such related issues.

Your consideration of this bill, and outstanding support for the FCLIWG is very appreciated!

Sincerely,



Thomas A. Marzec

1-29-08