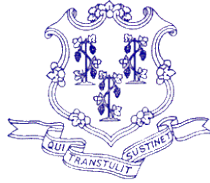


# Connecticut General Assembly



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## Law Revision Commission

### Study committee regarding alimony statutes

### MEETING MINUTES

Wednesday January 15, 2014

2:30 p.m.

Room 1B - Legislative Office Building

I. The meeting was called to order at 2:32 p.m. by the Chairman of the study committee, Justice Ian McLachlan (Ret.). Members of the study committee present were: Chairman McLachlan, Attorney Barbara Aaron, Attorney Livia Barndollar, Judge Tom Colin, Attorney Gaetano Ferro, Attorney Benjamin Gettinger, Attorney Kate Haakonsen, Attorney Bruce Louden and Judge Lisa Morgan. Absent from the meeting were Senator Beth Bye, Attorney Campbell Barrett and Attorney Shirley Pripstein.

II. Chairman McLachlan offered introductory remarks and then introduced Attorney Catherine Bailey from the Connecticut Women's Education and Legal Fund. She discussed a portion of findings from a preliminary draft analysis of alimony awards in marriage dissolutions in 2012. The analysis was based on a sampling of data obtained from two judicial districts. Members of the study committee asked Attorney Bailey about the data and the standard deviation calculations. A discussion ensued regarding: (1) the general nature and usefulness of statistics and (2) whether marriage dissolution cases in which a settlement is reached after trial has begun are consistently designated by court personnel as either contested or uncontested.

III. Chairman McLachlan asked the members of the study committee to review the minutes from the January 8, 2014 meeting. Members reviewed the minutes and Attorney Louden moved that the minutes be approved. The motion passed on voice vote with one abstention.

IV. Chairman McLachlan resumed the discussion from the prior meeting regarding the list of factors in Connecticut General Statutes (CGS) §46b-82(a) that are considered by a court when making a determination as to whether alimony will be awarded. After discussion, the committee discussed its prior determination that the terms "net income" and "gross income" should be added to the list of factors in CGS §46b-82(a). Attorney Haakonsen made a motion, seconded by Attorney

Ferro, that both CGS §§46b-81 and 46b-82 be amended to add to the factors to be considered: "net income", "gross income" and "the tax consequences of the court's order". The motion passed on voice vote with one vote in opposition.

V. Attorney Haakonsen presented thoughts on the purpose of alimony pursuant to her offer to do so at the prior meeting. Chairman McLachlan then commenced a full discussion of alimony in cases involving cohabitation and the perceived workability, or lack thereof, of CGS §46b-86(b) with respect to cohabitation. After discussion, Chairman McLachlan polled the study committee members regarding their perception of the workability of CGS §46b-86(b). Several members indicated that they have not experienced problems with the section while other members indicated that they believed the section was ambiguous. Chairman McLachlan then proposed that the committee wait until it receives public input on the topic before finalizing a recommendation.

VI. The next meeting of the study committee was scheduled for Wednesday, January 22, 2014 at 2:30 p.m. A public hearing was scheduled for Wednesday, January 29, 2014 to begin at 10:00 a.m., with the first hour reserved for public officials, and would conclude at 5:00 p.m. The committee discussed closing the sign-up process at a time to be determined at its next meeting. The study committee would accept written testimony from any person, regardless of whether that person testified in person.

VII. There being no further business, the meeting was adjourned at 5:15 p.m.

January 16, 2014; Revised January 22, 2014