

Vermont Alimony Reform Written Comments 4/21/17:

Thank you honorable members of the judiciary. Your time and insight will not be wasted in forming a Task Force for what the courts and the family law representatives have sought through eight years of guideline revisions. Unlike criminal law, family law does not have prosecutors to constantly review the strength and weaknesses in law. Establishing a Task Force has the opportunity to settle the “Wild West” the chair of the Family Law Committee so aptly describes the current law.

1.) We welcome VT Coalition for Women on the Task Force and look forward to working with them in developing a thorough knowledge of what financial impacts occur when dissolving a marriage. We share a commitment to similar values of gender equity and justice. There is no neutral or opposition here. We are all for leveling the playing field, for fairness. Thank you Cary Brown for your engagement.

2.) This is not a study committee -- this is an action-oriented, outcome-focused Task Force that is not starting from scratch. There is a huge body of work that has already been done and the scope of the review is primarily on two pieces of law: Title 15, Chapter 5, Subsections 751 & 752. We are not underestimating the effort this undertaking requires. However, every member of this Task Force must be committed to achieving results, starting with the Task Force leadership, within the scope and time frame prescribed in the bill: to deliver actionable recommendations to the Legislature on or before January 15, 2018.

This is going to be arduous but completely doable together. Common ground and solid ground work that has already been done make this undertaking far less arduous now than it would have been even two years ago. We agree on many points in principle, and the House has already done a great deal of work in the last eight years. The Task Force is well positioned to recommend changes in the law that will make it easier for the Legislature to act on.

3.) We are not outliers. The 5-7% of contested cases Judge Gearson continues to cite do not reflect the untold men and women whose legal counsel discouraged them from contesting precisely because Vermont law is a “crap shoot or Wild West”. You don't hear from those who are suffering quietly or from those whose desire is to corral the “Wild West” of inconsistency clouded in idiosyncratic discretion. This is about improving and reforming laws to achieve equitable outcomes for all stakeholders that allows for appeal to reversible errors.

Judge Gearson quoted a Russian novelist about happiness, I will leave you a quote from an American civil rights icon, “Injustice anywhere is a threat to justice everywhere” Martin Luther King Jr.