

Written Testimony Submitted in Support of SB23-194

TO: Colorado General Assembly
First Regular Session, 74th General Assembly
Senate Judiciary Committee
200 E Colfax Avenue
Denver, CO 80203

FROM: Kristi Anderson Wells, Wells Family Law, PC, 1660 Lincoln Street, Ste. 1525, Denver, CO 80264

DATE: 4/4/2023

IN RE: SB 23-194, Concerning Measures to Improve the Administration of Domestic Relations Proceedings

Dear Senate Judiciary Committee:

My name is Kristi Anderson Wells. I am a family law attorney based in Denver, Colorado submitting written testimony in support of SB 23-194. I am testifying in my personal capacity, and as a member of the Family Law Section who is interested in ensuring that Colorado families have the opportunity to have their domestic relations cases heard by judges trained in the issues they will face in such cases. I have been practicing as an attorney since 1996, and as a family law attorney since 2010. I am a past-President of Colorado Collaborative Divorce Professionals, and I currently serve as Secretary of the Family Law Section Executive Council.

Every child, and every family, in Colorado who finds themselves in our court system deserves to have a judge hearing their case who understands how decisions will affect that child or family. Too often, the domestic relations docket is where new judges, who have no judicial training requirement, begin their service. While the judiciary does its best, there are many issues in domestic relations that require specialized knowledge. The mistakes that untrained judges make can have lasting effects on children and families going forward.

For example, attachment theory highlights the importance of a child's emotional bond with their primary caregivers.¹ Disruption to, or loss of, this bond can affect a child emotionally and psychologically into adulthood and can have a negative impact on their future relationships.² Despite this, we often see judges entering orders that create disruption in a child's emotional bond with a parent, without understanding the long-term ramifications of such orders.

Similarly, children who experience domestic violence at home are subject to both short and long-term effects. For example, children who see parent-on-parent abuse live in a constant state of anxiety. Their cortisol levels are heightened. Their self-esteem may be damaged by their inability to help the parent who is being abused. One of the most devastating effects of domestic violence is its ability to cause post-traumatic stress disorder in children who are raised around it. Even children who are not experiencing physical abuse themselves can experience changes in their brain

1. Bowlby, J., 1997. Attachment and Loss, Volume 1: Attachment; 5th Ed. London, Pimlico.

2. Id.

development from witnessing abuse.³ They may also experience nightmares, difficulty concentrating, anger, headaches and stomach pain.⁴ When teenagers witness domestic abuse, they tend to act out: fighting, skipping school, engaging in risky sexual activities, or experimenting with drugs and alcohol. Over time, depression, health problems such as heart disease, obesity and diabetes, and ultimately repeating abusive patterns can be the long-term consequences of exposure to domestic violence.⁵ Despite this, we have judges who release children into the custody of parents who have been found to be perpetrators of domestic abuse. We have judges who are not trained to recognize the demeanor of an abuse victim. The damage to children and victims of domestic violence can be addressed by ensuring that judges are trained to recognize these issues and manage them appropriately.

This bill is a good idea because it will train judges to spot important issues before they make decisions that may have lasting effects on families. Having better-trained judges will lead to better results for Colorado families. Finally, tracking the number of children in our system, as well as the number of post-decree matters, will allow the state to analyze where best to allocate resources in the family law system going forward.

I am available for any questions by email or phone – my contact information is listed below. Thank you for your time, consideration, and service to the citizens of Colorado.

Sincerely,

Kristi Anderson Wells, Esq.
President and Managing Shareholder of Wells Family Law, PC
Phone: 303-309-1077
Email: kristi@wellsfamilylawcolorado.com

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3. Stiles MM. Witnessing Domestic Violence: The Effect on Children. *Am Fam Physician*. 2002;66(11):2052-2067.
 4. Id.
 5. Monnat SM, Chandler RF. Long Term Physical Health Consequences of Adverse Childhood Experiences. *Sociol Q*. 2015;56(4):723-752.