

ORDER OF TEMPORARY CUSTODY

JD-JM-148 Rev. 1-22
C.G.S. §§ 46b-128, 46b-129(b),
46b-56(a); 17a-105; P.A. 21-15

INSTRUCTIONS TO PREPARER

1. This form is to be used only when ordering temporary custody of a minor child to the Department of Children and Families (DCF).
2. Upon issuance of order, contact Juvenile Court Clerk for hearing dates.
3. Provide signed original order to DCF and forward copy to Juvenile Court Clerk.
4. Retain copy of order for court file and seal document.

STATE OF CONNECTICUT
SUPERIOR COURT
JUVENILE MATTERS
www.jud.ct.gov



Court issuing Order (Location) 90 Washington St., Hartford		Docket number FA12 4064290 S
Name of child/youth Michael A. Guiliano-Reich	Address of child/youth 114 Atwater Rd., Collinsville, CT. 06019	Date of birth 09/18/2008
Name of parent Ronna-Marie Guiliano-Reich	Address of parent 114 Atwater Rd., Collinsville, CT. 06019	
Name of parent Stephen A. Reich	Address of parent 51 Oakengates, Avon, CT. 06001	
Name of defendant (Criminal matters)	Address of defendant (Criminal matters)	
Name of legal guardian (If any)	Address of legal guardian	
Name of putative parent (If any)	Address of putative parent	
If Parent(s) is/are minor(s), name(s) of grandparent(s) or guardian(s)		Address(es) of grandparent(s) or guardian(s)

Based on the facts presented, the court makes the following findings:

- ☐ The defendant who resides with the above named child/youth has been charged with an offense under C.G.S. § 53-20 or 53-21 or Part V, VI, VII of Chapter 952.
- ☐ The custody of the above named child/youth is the subject of a pending family matter.
- ☒ The conditions and circumstances of the above named child/youth have been brought to the attention of this court:
- I. ☐ A. said child/youth is suffering from serious physical illness, or
- ☐ B. said child/youth is suffering from serious physical injury, or
- ☒ C. said child/youth is in immediate physical danger from surroundings.

and

As a result of said conditions, the child's/youth's safety is endangered and immediate removal from such surroundings is necessary to ensure the child's/youth's safety.

- II. ☒ Continuation in the home is contrary to the welfare of said child/youth.
- III. ☐ A. Reasonable efforts to prevent or eliminate the need for removal of said child/youth were made by the state.
- ☒ B. Reasonable efforts to prevent or eliminate the need for removal of said child/youth from the home were not possible.
- ☐ C. Reasonable efforts were not made.

A TRUE COPY
ATTEST:

DANIEL MICACELLI
STATE MARSHAL, HARTFORD COUNTY

It is hereby Ordered that:

The temporary care and custody of said child/youth shall be vested in the Department of Children and Families pending a hearing as set forth below on the confirmation of this order.

Name of Judge Hon. Robert Nastri Jr.	Signed (Judge) 	Date signed 05/26/2022
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AND IT IS FURTHER ORDERED that the above-named parent/guardian/defendant be and hereby is/are summoned to appear before the court on the Hearing Date(s) set out below, at the address shown below, by having a proper officer leave a true and attested copy of this order and summons with them or at their usual place of abode, or if so ordered, by publication or mail and return same to the court on or before the date indicated.

- ☐ The name and address of the Victim of a sexual assault may be disclosed to DCF in accordance with C.G.S. § 54-86e.
Information disclosed pursuant to this order shall not be further disclosed.

**Hearing Date - Preliminary
Hearing on Temporary Custody** ➔

Date 06/03/2022	Time of hearing 9:00 a .M.
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Hearing Date - Petition ➔

Date	Time of hearing .M.
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Court Location ➔

Court location of hearing (Number, street, and town) 20 Franklin Square, New Britain	Telephone 860-515-5165
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Publication for: (Name)	Statutory mail for: (Name)	Service on or before (Date) 05/31/2022	Return by (Date) 06/02/2022
Name of person signing Robert Nastri Jr.	Signed (Judge, Assistant clerk) 	Date signed 05/26/2022	

**NOTICE OF TEMPORARY CUSTODY/
ORDER TO APPEAR**

JD-JM-58A - Rev. 1-22

C.G.S. § 46B-129(B); P.A. 21-15; P.B. §§ 32a-1(g); 33a-6(e)

***This form is available
in other language(s).***STATE OF CONNECTICUT
SUPERIOR COURT
JUVENILE MATTERS
www.jud.ct.gov

Address of court 20 Franklin Square, New Britain 06051		Telephone number 860-515-5165	Fax number 860-515-5176	Docket number
Name of child/youth Michael A Guiliano-Reich	Address of child/youth 114 Atwater Rd., Collinsville, CT. 06019			Date of birth 09/18/2008
Name, address, and type (if applicable) (birth parent, parent, guardian, alleged parent) Ronna-Marie Guiliano-Reich, 114 Atwater Rd., Collinsville, CT. 06019, birth parent				Date of birth
Name, address, and type (if applicable) (birth parent, parent, guardian, alleged parent) Stephen A Reich, 51 Oakengates, Avon, CT. 06001, birth parent				Date of birth
Name, address, and type (if applicable) (birth parent, parent, guardian, alleged parent)				Date of birth
Name, address, and type (if applicable) (birth parent, parent, guardian, alleged parent)				Date of birth
If parent(s) is/are minor(s), name(s) of grandparent(s) or guardian(s)		Address(es) of grandparent(s) or guardian(s)		

Notice

1. The attached order is based on allegations that conditions in the home or elsewhere endanger the safety and welfare of the child or youth;
2. A preliminary hearing will be held on 06/03/2022 at 9:00 a.m.;
(date) (time)
3. If you do not come to the hearing, the court may take action against you;
4. At the hearing you will have the opportunity to tell the court your position concerning the alleged facts;
5. You have the right to remain silent; any statement that you make may be introduced into evidence against you;
6. You have the right to be represented by an attorney. If you want an attorney but cannot pay for one, the court will make sure that an attorney is provided to you by the Chief Public Defender if you prove you cannot pay for one;
7. You may apply for an attorney by going in person to the court address listed above and completing the JD-JM-114 Application for Appointment of Counsel/Waiver of Fees form. If you are unable to go to court in person, mail or fax the completed application form to the court before the court date on the attached order form. It is recommended that you submit the application form as soon as possible so the attorney can prepare for the hearing.

If you have any questions about the case or appointment of counsel you should go to the court, or contact the clerk's office or contact the Chief Public Defender as soon as possible.

The court will promptly determine if you are eligible for state-paid representation. If the court determines that you are eligible for an attorney, the court will promptly notify the Chief Public Defender who will assign an attorney to represent you.
8. You may request that the Department of Children and Families investigate placing the child or youth with a person related to the child or youth by blood or marriage who might serve as a licensed foster parent or temporary custodian for the child or youth.
9. No parent who is the subject of a petition shall be compelled to testify if the testimony might tend to incriminate in any criminal proceeding or to establish the validity of the facts alleged in the petition.

ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

State of Connecticut		RETURN OF SERVICE	Docket number
County of <div style="text-align: center;">SS.</div>	Name of person(s) served	Date of service	
<p>Then and there, I duly served the foregoing petition, order and summons on the above-named respondent(s), by either <i>(check one)</i>:</p> <p><input type="checkbox"/> leaving with <i>(for in hand)</i>; or</p> <p><input type="checkbox"/> leaving at the usual place of abode <i>(for abode)</i> at _____</p> <p>The within and foregoing is a true and attested copy of the original petition, order, and summons.</p> <p>Attest <i>(Signature and title of proper officer)</i></p>		Fees	
		Copy	
		Endorsement	
		Service	
		Travel	
		Total	

State of Connecticut		RETURN OF SERVICE	Docket number
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		Travel	
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State of Connecticut		RETURN OF SERVICE	Docket number
County of <div style="text-align: center;">SS.</div>	Name of person(s) served	Date of service	
<p>Then and there, I duly served the foregoing petition, order and summons on the above-named respondent(s), by either <i>(check one)</i>:</p> <p><input type="checkbox"/> leaving with <i>(for in hand)</i>; or</p> <p><input type="checkbox"/> leaving at the usual place of abode <i>(for abode)</i> at _____</p> <p>The within and foregoing is a true and attested copy of the original petition, order, and summons.</p> <p>Attest <i>(Signature and title of proper officer)</i></p>		Fees	
		Copy	
		Endorsement	
		Service	
		Travel	
		Total	

For Mail Service

State of Connecticut		RETURN OF SERVICE	Docket number
County of <div style="text-align: center;">SS.</div>	Name of person(s) served	Date of service	
<p>Then and there, by virtue hereof, I made service of the within petition, order and summons by depositing a true and attested copy by United States Post mail, postage prepaid, addressed to _____, by <i>(check one)</i>:</p> <p><input type="checkbox"/> restricted delivery, return receipt requested; or</p> <p><input type="checkbox"/> first class mail; or</p> <p><input type="checkbox"/> certified mail, return receipt requested.</p> <p>The within and foregoing is the original petition, order and summons with my doings thereon endorsed.</p> <p>Attest <i>(Signature and title of proper officer)</i></p>		Fees	
		Copy	
		Endorsement	
		Service	
		Travel	
		Total	

DOCKET NO. HHD-FA-12-4064290-S

RONNA-MARIE GUILIANO-REICH : SUPERIOR COURT
v. : JUDICIAL DISTRICT OF HARTFORD
: AT HARTFORD
STEPHEN REICH : MAY 26, 2022

ORDERS RE: THE PLAINTIFF'S EX PARTE APPLICATION FOR CUSTODY (DOCKET ENTRY #388.05) AND MOTION FOR MODIFICATION (DOCKET ENTRY #388.07), THE DEFENDANT'S EX PARTE APPLICATION FOR CUSTODY (DOCKET ENTRY #389) AND MOTION TO MODIFY (DOCKET ENTRY #390), THE PLAINTIFF'S MOTION FOR ORDER (DOCKET ENTRY #392), THE DEFENDANT'S MOTION FOR CONTEMPT (DOCKET ENTRY #399), THE GUARDIAN AD LITEM'S MOTIONS FOR CONTEMPT (DOCKET ENTRIES #403 AND #406), THE PLAINTIFF'S EX PARTE APPLICATION FOR CUSTODY (DOCKET ENTRY #418), THE DEFENDANT'S MOTIONS TO MODIFY (DOCKET ENTRY #420) AND FOR CONTEMPT (DOCKET ENTRY #430), THE PLAINTIFF'S MOTION FOR CONTEMPT AND SANCTIONS (DOCKET ENTRIES #433 AND #433.01), THE DEFENDANT'S EX PARTE APPLICATION FOR CUSTODY (DOCKET ENTRY #439) AND THE PLAINTIFF'S MOTION TO EXPEDITE (DOCKET ENTRY #455)

The plaintiff's October 8, 2019 ex parte application for custody (docket entry #388.05) and motion for modification (docket entry #388.07), the defendant's October 10, 2019 ex parte application for custody (docket entry #389) and motion to modify custody (docket entry #390), the plaintiff's October 25, 2019 motion for order (docket entry #392),¹ the defendant's November

¹ Although coded as a motion for order, the pleading is an application for an ex parte order of injunction.

FILED

MAY 26 2022

HARTFORD J.D.

19, 2009 motion for contempt (docket entry #399), the guardian ad litem's (GAL) December 5, 2019 and January 7, 2020 motions for contempt (docket entries #403 and #406), the plaintiff's September 2, 2020 ex parte application for custody (docket entry #418), the defendant's September 14, 2020 motion to modify (docket entry #420) and December 18, 2020 motion for contempt (docket entry #430), the plaintiff's May 12, 2021 motion for contempt and sanctions (docket entries #433 and #433.01), the defendant's May 24, 2021 ex parte application for custody (docket entry #439) and the plaintiff's October 21, 2021 motion to expedite (docket entry #455) came before the court on October 23 and December 5, 2019, March 3, 4, 5 and 6, 2020, January 5, 7 and 11, May 17, 18, 20 and 21,² November 29, December 2 and 3, 2021 and January 12, 2022. Ms. Guiliano³ was represented by Attorney Nickola Cunha; Mr. Reich was represented by Attorneys Richard Rochlin and Sharon Friel. Attorney Sue Cousineau was the guardian ad litem.

Both parties testified. In addition, over the seventeen days of hearings, the court heard testimony from Dr. Sidney Horowitz, Ph.D., Mr. Reich's therapist, Dr. Michael Danitz, Ph.D., the therapist for the parties' minor child, Deborah Parenti, an administrator at the Farmington

² At the conclusion of evidence on May 21, 2021, the court told the parties that it would provide the plaintiff five additional days to put on evidence. The court blocked out November 29 through December 3, 2021 for that purpose. On November 29, 2021, the plaintiff informed the court that she was unable to proceed beyond 2:45 p.m. each day because she could not arrange childcare for her thirteen year-old son and was unwilling to proceed remotely while he was in the house with her even if he were in a different room. Attorney Cunha, the plaintiff's counsel, scheduled another matter for December 1, 2021. The court informed the parties that it was prepared to hold hearings on the five full days scheduled but if the plaintiff chose not to use them or to use only a portion of them, it was at her election. The defendant was unable to proceed on November 30, 2021 due to an illness. Consequently, the court scheduled a full day hearing on January 12, 2022.

³ The plaintiff, Ronna-Marie Guiliano-Reich is now known as Ronna-Marie Guiliano. She shall be referred to as such herein for the sake of clarity.

Valley Academy Montessori school and Sharon Healy, another administrator at the school as well as the minor child's former teacher. Mr. Reich adduced testimony from Dr. Steven Humphrey, Ph.D., the court appointed psychologist, Attorney Cousineau, the GAL, and Kent Glowa, Mr. Reich's friend. Some of the testimony was relevant. The court allowed both parties to call witnesses out of order.

In her October 8, 2019 ex parte application for custody (docket entry #388.05), Ms. Guiliano seeks temporary custody of Michael, the parties' minor child, because "[o]ur son has suffered and continues to suffer serious psychological harm as a result that directly stem from the psychological and physical harm he has been subjected to by his father." *October 8, 2019 Application, p. 2*. The ex parte relief was denied. Ms. Guiliano's October 8, 2019 motion for modification (docket entry #388.07) seeks the same relief permanently.

In his October 10, 2019 ex parte application for custody (docket entry #389), Mr. Reich asks the court to award him temporary sole custody of Michael because of Ms. Guiliano's "continuous and unrelenting alienating behavior and false and perjurious accusations." *October 10, 2019 Application, p. 1*. The ex parte relief was denied. Mr. Reich's October 10, 2019 motion to modify (docket entry #390) seeks the same relief permanently.

Ms. Guiliano's October 25, 2019 application for ex parte order of injunction (docket entry #392) seeks "a temporary and permanent injunction prohibiting and restraining the defendant, individually, through counsel and the Guardian Ad Litem from seeking to further enforce

reunification therapy, a change in custody and any further actions interfering with the plaintiff and the minor child” *October 25, 2019 Application*, p. 4. The ex parte relief was denied.

Mr. Reich’s November 19, 2019 motion for contempt (docket entry #399) seeks to have Ms. Guiliano held in contempt for her failure to participate in and bring Michael to therapy with Dr. Linda Smith.

The GAL’s December 5, 2019 motion for contempt (docket entry #403) seeks to have Ms. Guiliano held in contempt for failure to pay the guardian ad litem’s fees.

In her January 7, 2020 motion for contempt (docket entry #406), the GAL seeks to have Ms. Guiliano held in contempt for failure to comply with a subpoena.

Ms. Guiliano’s September 2, 2020 application for ex parte order of custody (docket entry # 418) seeks sole legal and physical custody of Michael, and to have Mr. Reich “pay the financial obligations owed to the minor child’s school by 5:00 p.m. today to ensure that the child can start school tomorrow.” *September 2, 2020 Application*, p. 1. The ex parte relief was denied.

Mr. Reich’s August 25, 2020 motion to modify (docket entry #420), filed September 14, 2020, seeks relief from the order that he pay for Michael’s private schooling on the ground that his income has severely decreased.

Mr. Reich’s December 7, 2020 motion for contempt (docket entry #430), filed December 18, 2020, seeks to have Ms. Guiliano held in contempt for refusing to take Michael to therapy with Dr. Smith.

In her April 26, 2021 motion for contempt and sanctions (docket entries #433 and #433.01), filed May 12, 2021, Ms. Guiliano seeks to have Mr. Reich held in contempt for his failure to pay for Michael's schooling and summer camp.

Mr. Reich's May 24, 2021 ex parte application for custody (docket entry #439) seeks temporary legal custody of Michael and to have him placed physically with Mr. Glowa and his family as a result of Ms. Guiliano's alleged efforts to thwart court ordered therapy.

Finally, Ms. Guiliano's September 29, 2021 motion to expedite (docket entry #455), filed on October 21, 2021, seeks an order that Mr. Reich immediately pay Michael's tuition before the child is expelled from his school.

"Contempt is a disobedience to the rules and orders of a court which has power to punish for such an offense." (Internal quotation marks omitted.) *In re Jeffrey C.*, 261 Conn. 189, 196, 802 A.2d 772 (2002). It is "[a]n exhibition of scorn or disrespect toward a court" Ballentine's Law Dictionary (3d Ed. 1969).

"[A] court may not find a person in contempt without considering the circumstances surrounding the violation to determine whether such violation was wilful. . . . [A] contempt finding is not automatic and depends on the facts and circumstances underlying it." (Internal quotation marks omitted.) *Dickinson v. Dickinson*, 143 Conn. App. 184, 189, 68 A.3d 182 (2013), overruled on other grounds by *Brody v. Brody*, 315 Conn. 300, 105 A.3d 887 (2015). "[I]t is well settled that the inability of [a] defendant to obey an order of the court, without fault

on his part, is a good defense to the charge of contempt The contemnor must establish that he cannot comply, or was unable to do so. . . . It is [then] within the sound discretion of the court to deny a claim of contempt when there is an adequate factual basis to explain the failure.”

(Citation omitted; internal quotation marks omitted.) *Ahmadi v. Ahmadi*, 294 Conn. 384, 398, 985 A.2d 319 (2009). “Whether [a party] establishe[s] [an] inability to pay [an] order by credible evidence is a question of fact.” (Internal quotation marks omitted.) *Merkrut v. Suits*, 147 Conn. App. 794, 800, 84 A.3d 466 (2014). Civil contempt proceedings such as those presently before this court must be proven by “clear and convincing evidence.” *Brody v. Brody*, supra, 315 Conn. 318-19.

The court finds all facts by a preponderance of the evidence presented. The court has listened carefully to the witnesses and assessed their credibility. “*It is the sole province of the trial court to weigh and interpret the evidence before it and to pass upon the credibility of witnesses. . . . It has the advantage of viewing and assessing the demeanor, attitude and credibility of the witnesses and is therefore better equipped . . . to assess the circumstances surrounding the dissolution action.*” (Citation omitted; emphasis in original; internal quotation marks omitted.) *Rubenstein v. Rubenstein*, 107 Conn. App. 488, 497, 945 A.2d 1043, cert. denied, 289 Conn. 948, 960 A.2d 1037 (2008). “It is the judge in the courtroom who looks the witnesses in the eye, interprets their body language, listens to the inflections in their voices and

otherwise assesses the subtleties” (Internal quotation marks omitted.) *In re Davonta V.*, 285 Conn. 483, 497, 940 A.2d 733 (2008).

In a case tried to the court, “[t]he . . . judge, as the trier of facts, is the sole arbiter of the credibility of witnesses and the weight to be given to their testimony.” (Internal quotation marks omitted.) *Taylor v. Commissioner of Correction*, 324 Conn. 631, 637, 153 A.3d 1264 (2017). “[I]t is well established that it is the exclusive province of the trier of fact to make determinations of credibility, crediting some, all, or none of a given witness’ testimony.” (Internal quotation marks omitted.) *Gonzalez v. State Elections Enforcement Commission*, 145 Conn. App. 458, 475, 77 A.3d 790, cert. denied, 310 Conn. 954, 81 A.3d 1181 (2013). “It is well settled that the trier of fact can disbelieve any or all of the evidence proffered . . . and can construe such evidence in a manner different from the parties’ assertions.” *State v. DeJesus*, 236 Conn. 189, 201, 672 A.2d 488 (1996). “Testimony that goes uncontradicted does not thereby become admitted or undisputed . . . nor does the strength of a witness’s belief raise it to that level.” (Citation omitted.) *Stanton v. Grigley*, 177 Conn. 558, 563, 418 A.2d 923 (1979).

The court applies all relevant law. The court also unseals all financial affidavits pursuant to Practice Book § 25-59A (h), and takes judicial notice of all pleadings in court files. Section 2-1 (c) of the Connecticut Code of Evidence “provides that a court may take judicial notice of facts that are not subject to reasonable dispute in that [they are] either (1) within the knowledge of people generally in the ordinary course of human experience, or (2) generally accepted as true

and capable of ready and unquestionable demonstration.” (Internal quotation marks omitted.) *In re Jah’za G.*, 141 Conn. App. 15, 24, 60 A.3d 392, cert. denied, 308 Conn. 926, 64 A.3d 392 (2013).

“Judicial notice . . . meets the objective of establishing facts to which the offer of evidence would normally be directed. . . . Judicial notice relieves a party only of having to offer proof on the matter; it does not constitute conclusive proof of the matter nor is the opposing party prevented from offering evidence disputing the matter established by judicial notice.” (Internal quotation marks omitted.) *Id.*, 22. “Notice to the parties is not always required when a court takes judicial notice. Our own cases have attempted to draw a line between matters susceptible of explanation or contradiction, of which notice should not be taken without giving the affected party an opportunity to be heard . . . and matters of established fact, the accuracy of which cannot be questioned, such as court files, which may be judicially noticed without affording a hearing.” (Internal quotation marks omitted.) *Simes v. Simes*, 95 Conn. App. 39, 51, 895 A.2d 852 (2006). “Connecticut Code of Evidence § 2-2 (b) provides: The court may take judicial notice without a request of a party to do so. Parties are entitled to receive notice and have an opportunity to be heard for matters susceptible of explanation or contradiction, but not for matters of established fact, the accuracy of which cannot be questioned.” (Internal quotation marks omitted.) *Id.*, 51 n.14.

Findings of Fact

The parties were married on October 29, 2005. They have one minor child: Michael Anthony Guiliano-Reich, born September 2008.

Ms. Guiliano, through her company, Inclusion First, is a contractor for the Department of Children and Families (DCF). Mr. Reich is principally a realtor.

Ms. Guiliano filed a complaint for the dissolution of her marriage dated September 6, 2012, and returned to court on October 2, 2012. On September 18, 2012, the parties filed a Settlement and Property Distribution Agreement (the Settlement Agreement) (docket entry #102), which was approved and incorporated into the judgment of the court, *Prestley, J.*, on January 7, 2013 (docket entry #110).

Despite their dysfunctional relationship, the parties continue to share joint legal custody of Michael. Ms. Guiliano has sole physical custody of the child.

In the Settlement Agreement, the parties agreed to share joint legal custody of Michael. *Settlement Agreement*, § 2.1, p. 3. Mr. Reich also agreed to pay for Michael's education at the Farmington Valley Academy Montessori school, at least through the third grade. *Settlement Agreement*, § 4.1, p. 10.

In her application for emergency ex parte order of custody (docket entry #418), the plaintiff made a material misrepresentation of fact to the court. She asserted that paragraph 4.1 of the Settlement Agreement required Mr. Reich to pay Michael's tuition "through graduation from high school." *September 2, 2020 Application*, ¶ 5. She made the same material

misrepresentation of fact in her postjudgment motion for contempt and sanctions (docket entries #433 and #433.01). *Motion for Contempt & Sanctions*, § I, 2, p. 1.

Almost immediately after the Settlement Agreement was approved and incorporated into the judgment of the court, Ms. Guiliano had to file motions for contempt to force Mr. Reich to meet his financial obligations, particularly with respect to Michael's tuition. There were no apparent problems between the parties with respect to custody or parenting time.

From the date of dissolution to July 2016, the parties continued to have a nearly shared parenting plan, with joint legal custody.

Ms. Guiliano filed the first of a series of applications for relief from abuse against Mr. Reich on September 17, 2015. *Guiliano-Reich v. Reich*, Superior Court, judicial district of Hartford, Docket No. FA-15-4079725-S. *Defendant's Exhibit LLL*. Ms. Guiliano also filed a complaint with DCF, which declined to investigate her claims.

In her complaints, Ms. Guiliano alleged that Mr. Reich allowed Zach and Max Lucca, the sons of Beth Johnson,⁴ Mr. Reich's fiancée, to bully Michael, particularly when Mr. Reich, Ms. Johnson and the three boys were on vacation in Florida. *Defendant's Exhibit JJ*.

Ms. Guiliano complained that Michael was struck in the face with an oar and swam naked in the pool with the other boys – an activity the court understands is commonly referred to as

⁴ Mr. Reich testified that although they have not yet married, Beth Johnson changed her name to Beth Reich. She is referred to as Beth Johnson in many exhibits, including the DCF records. She shall be referred to as Beth Johnson herein for the sake of clarity.

“skinny-dipping.” In her testimony, Ms. Guiliano also complained that the three boys urinated in the toilet at the same time and caused their urine streams to cross in what they referred to as “crossing swords.” At the time, the three boys were between five and seven years old.

Mr. Reich thought Michael engaging in these activities with the other boys was a breakthrough in Michael’s relationship to Mr. Reich’s blended family. Mr. Reich failed to realize that Michael’s relationship to the blended family must take a backseat to Michael’s relationship with his father. Various professionals opined that reunification of Michael with his father must be accomplished before any effort is made to introduce Michael into his father’s blended family.

There was ample testimony about Ms. Johnson’s excessive involvement with the parties’ various disputes. There was also significant evidence of Michael’s difficult relationship with Ms. Johnson’s sons.

Ms. Guiliano claimed that when he returned from Florida, Michael began “wetting his bed and having accidents He has now been newly diagnosed with anxiety and facial grimaces” *September 17, 2015 Application*. Ms. Guiliano later claimed that the prospect of being in Mr. Reich’s presence caused Michael to display the same symptoms.

In October 2015, Mr. Reich agreed to eliminate contact between Ms. Johnson’s children and Michael.

On November 9, 2015, the parties and Michael began to see Alice "Lissie" Brooks, LCSW, for family therapy to explore the relationship between Michael and Ms. Johnson's family. At the time, Mr. Reich and Ms. Johnson were living together and Ms. Johnson's children were with them every other weekend.

Shortly after Ms. Brooks began to provide therapy to Michael, Ms. Guiliano fired her and subsequently instituted a lawsuit against her. *Guiliano v. Brooks*, Superior Court, judicial district of Hartford, Docket No. CV-19-6105377-S. *Plaintiff's Exhibit 4*.

In the short period Ms. Brooks was Michael's therapist, he never made any allegation of sexual abuse against his father. General Statutes § 17a-101 mandates that certain people – referred to as mandated reporters – notify DCF of suspected child abuse or child neglect. Michael never made any claims to Ms. Brooks that his father had abused him. Ms. Brooks never reported Mr. Reich to DCF for any improper conduct with Michael. Ms. Brooks is a mandated reporter.

The parties engaged Dr. David Russell in early 2016 to evaluate the family dynamics and make recommendations about the introduction of the parties' significant others to Michael.

Michael never made any claims to Dr. Russell that his father had abused him. There is no mention of sexual misconduct in Dr. Russell's records or reports. Dr. Russell never reported Mr. Reich to DCF for any improper conduct with Michael. Dr. Russell is a mandated reporter.

On May 17, 2016, Ms. Guiliano filed an ex parte application for relief from abuse claiming that Mr. Reich had acted violently toward her and Michael. *Guiliano-Reich v. Reich*, Superior Court, judicial district of Hartford, Docket No. FA-16-4082382-S. There was no mention in the application of any sexual abuse. The matter was scheduled for a hearing but Ms. Guiliano failed to appear, so the application was dismissed.

Ms. Guiliano has repeatedly accused Mr. Reich of being a drug abuser. *Defendant's Exhibits H & P*. Ms. Guiliano filed a motion on May 25, 2016, seeking the appointment of a GAL and to have Mr. Reich submit to a psychological evaluation and drug testing (docket entry #132). Thereafter, Mr. Reich agreed to both a psychological evaluation and drug testing.

Ms. Guiliano withdrew her motion for a psychological evaluation and drug testing on June 17, 2016 (docket entry #143). Mr. Reich voluntarily submitted to hair, blood and urine drug tests, all of which were negative. He also agreed to undergo a year of hair follicle tests, all of which also were negative.

On July 7, 2016, Ms. Guiliano filed another ex parte application for relief from abuse, again claiming that Mr. Reich had acted violently toward her and Michael, and that DCF had opened an investigation. *Guiliano-Reich v. Reich*, Superior Court, judicial district of Hartford, Docket No. FA-16-4082979-S. *Defendant's Exhibit S*. In her application, Ms. Guiliano alleged that DCF had opened an investigation into physical abuse, maltreatment, neglect and emotional abuse reported by Michael's orthopedic surgeon, psychologist and primary care physician. Ms.

Guiliano asked that a restraining order be issued, extending to Michael. A temporary order of protection was issued by the court, *Suarez, J.*, but it did not cover Michael. The order of protection was later extended several times until it was withdrawn by Ms. Guiliano on February 6, 2018.

Ms. Guiliano filed another *ex parte* application for relief from abuse, this time on Michael's behalf, on July 15, 2016. In her application, Ms. Guiliano raised a myriad of allegations of sexual abuse by Mr. Reich, asking that an order of protection be issued covering Michael. *Guiliano Reich v. Reich*, Superior Court, judicial district of Hartford, Docket No. FA-16-4083095-S. The court, *Suarez, J.*, issued a temporary order of protection on the same day. The order of protection was extended several times until Ms. Guiliano withdrew it on February 16, 2018.

At about the same time she was accusing Mr. Reich of sexual abuse, Ms. Guiliano voluntarily gave Mr. Reich additional parenting time. In early July 2016, Ms. Guiliano notified Mr. Reich that she wanted to change the parenting plan because she was in a new relationship and wanted to coordinate her parenting time with that of her significant other. As an incentive for Mr. Reich to agree to the change, Ms. Guiliano offered him two consecutive weekends of parenting time. *Defendant's Exhibit JJJ*. In addition, as Ms. Guiliano noted to Mr. Reich's counsel, she offered to let Mr. Reich take Michael on Monday, Wednesday and Thursday night of one week and Monday, Tuesday, Wednesday and Thursday night of another week. *Defendant's*

Exhibit EEE. Ms. Guiliano's actions were hardly those of someone who truly believed her son was being sexually abused by his father.

Sometime in the summer of 2016, DCF initiated an investigation into allegations that Mr. Reich sexually abused Michael.

In July 2016, Mr. Reich learned that the Avon Police Department had started a criminal investigation against him for allegedly sexually abusing Michael by touching his penis inappropriately. During the course of the investigation, Mr. Reich submitted to and passed a polygraph examination and provided the investigators with releases allowing them to speak with all of his medical providers.

Ms. Guiliano had conflated two separate and distinct events to gin up charges of sexual abuse against Mr. Reich. The first event involved post-surgery therapy. On October 15, 2013, Michael had meatal stenosis surgery on his penis because the opening at the end of his penis was too narrow, so he had been having problems with urination. Symptoms of meatal stenosis often include frequent, painful or burning urination. As part of his post-operative care, a lubricated urethral dilator had to be inserted into Michael's urethra – the opening at the tip of the penis – twice a day. *Defendant's Exhibit CCC.* Mr. Reich did the procedure whether Michael was with him or with Ms. Guiliano; Michael did not want his mother to do the procedure so she called Mr. Reich to her home to do it.

In a forensic interview conducted at St. Francis Hospital, Michael testified that “daddy touched my penis, he went up and down and it hurt” an apt description of the postoperative care Mr. Reich had to perform.

Ms. Guiliano did not inform DCF or the Avon Police Department about Michael’s surgery or the postoperative care Mr. Reich was required to provide to his son.

The second event involved childish, ill-considered and ill-advised actions on Mr. Reich’s part. Once, when Mr. Reich had finished bathing Michael, who was very young at the time, the child pushed on his own penis, said “boing boing” and giggled. After that, on a handful of occasions, Mr. Reich touched Michael’s penis and said “boing boing,” which made Michael laugh. The behavior was never sexual; it was moronic, but totally benign.

Dr. Michael Danitz, Ph.D., began seeing Michael for therapy in early 2017. Dr. Danitz described his role as providing support for Michael regarding his feelings. Michael engaged in a lot of play therapy with Dr. Danitz who observed Michael would “always insist on winning, always change the rules to be able to win every interaction. That was important to him . . .” Dr. Danitz observed that the very fact that Michael was not troubled about not wanting a relationship with his father was in and of itself, troubling.

During the course of Michael’s treatment with Dr. Danitz, school personnel suggested to Michael that he make a list of his concerns about his father; the school personnel assisted him in creating such a list. *Plaintiff’s Exhibit 24; Defendant’s Exhibit I*. The list Michael created

contains fifty-four complaints about his father, some of which Dr. Danitz thought were fantastical, but there is no mention of, nor reference to, sexual misconduct or sexual abuse.

There was no evidence introduced that Michael ever made any claims to Dr. Danitz, who is a mandated reporter, that his father had abused him. There is no mention of sexual misconduct in Dr. Danitz's records or reports. Dr. Danitz never reported Mr. Reich to DCF for any improper conduct with Michael.

DCF substantiated Mr. Reich for physical and sexual abuse and emotional neglect on August 19, 2016. *Plaintiff's Exhibit 55*. Mr. Reich filed an appeal of the substantiation shortly thereafter. *Defendant's Exhibits DDD & GGG*.

Ms. Guiliano was arrested in January 2017 and charged with criminal impersonation in violation of General Statutes § 53a-130. She was accused of impersonating Mr. Reich in text communications with his therapist, Ms. Brooks – who thought she was communicating with Mr. Reich – in an effort to obtain confidential information about Mr. Reich's therapy.

In October 2016, the state's attorney rejected a warrant for Mr. Reich's arrest, submitted by the Avon Police Department, on the ground that it lacked probable cause.

Judge Simón ordered reunification therapy⁵ between Michael and Mr. Reich in May 2017. After at least one false start, Judge Simón appointed Janet Schrager, Ph.D., to conduct

⁵ In his testimony, Dr. Humphrey, the court ordered psychological evaluator, eschewed the use of the term "reunification therapy" in favor of the term family therapy with the goal of fostering a relationship between with the child and the parent.

reunification therapy on February 13, 2018 (docket entry #294.06). Dr. Danitz contacted Dr. Schrager – at the request of someone he declined to name – to share with her the list of Michael’s fifty-four concerns about his father. *Plaintiff’s Exhibit 24; Defendant’s Exhibit I.*

When Dr. Danitz told her the list had been created at the instigation of school personnel, Dr. Schrager contacted the parties’ counsel to express her concern that the school personnel had inserted themselves into the therapeutic process by suggesting to Michael that he create the list. Dr. Schrager asked counsel to stop the school personnel from any further interference. *Plaintiff’s Exhibit 24.*

In a March 23, 2018 email, Dr. Schrager described Michael as “uncooperative and extremely disturbed” in the session with Mr. Reich. Dr. Schrager told the lawyers “It is my conclusion that Michael is too emotionally impaired to benefit from reunification therapy.” She wrote: “In my experience providing reunification therapy, [Michael] presents as one of the most troubled children I have seen in this kind of setting.” *Plaintiff’s Exhibit 23.* Dr. Schrager recommended that Michael be engaged in “intense therapy two to three times a week with a very experienced psychodynamically oriented child psychologist at the Yale Child Study Center.” *Plaintiff’s Exhibit 23.* Dr. Schrager concluded that she could not continue to provide Michael with therapy and recommended that Michael, and both parties, receive psychological therapy.

Michael never made any claims to Dr. Schrager that his father had abused him. Dr. Schrager never reported Mr. Reich to DCF for any improper conduct with Michael. Dr. Schrager is a mandated reporter.

After learning about Michael's therapy and Mr. Reich's post-operative therapy and before it conducted a hearing, DCF "decided to reverse the allegations of physical neglect, emotional and sexual abuse that were entered against [Mr. Reich] following the May 2016 investigation" *Defendant's Exhibit FFF*. At about the same time, DCF initiated an investigation into Ms. Guiliano for allegations of manipulating the DCF system and for emotionally abusing and maltreating Michael. *Defendant's Exhibit HHH*. The investigation did not result in a substantiation.

The parties entered a stipulation (the stipulation) on May 22, 2018, to have a Ph.D. level clinical psychologist perform a full comprehensive custody evaluation on the family (docket entry #316). In addition, the parties agreed to sign all necessary releases and cooperate with the designated psychologist. *Stipulation, ¶1*. By order dated May 25, 2018, the court, *Simón, J.*, appointed Dr. Stephen Humphrey, Ph.D., to perform a full comprehensive custodial evaluation of the family consistent with paragraph one of the parties' stipulation (docket entry #318).

Dr. Humphrey is a licensed, clinical doctor of psychology. *Defendant's Exhibit G*. He began his evaluation in May 2018, and concluded it the following December. Dr. Humphrey's sense of Michael was that "he is very sensitive and aware of his surroundings and what's going

on in his life. If Michael does not align himself with his mother, then he puts himself in the middle of the conflict between his parents.” Dr. Humphrey concluded that Michael agrees completely that his mother is really without fault and ideal, and that his father is without any value or merit and is completely horrendous. Dr. Humphrey testified that he believes it is most expedient for Michael, in terms of his own mental health and safety, to adopt the view that his father is a horrible, evil person, who should never have contact with him.

The defendant disclosed Dr. Humphrey as an expert witness on October 28, 2019 (docket entry #392.10). *Plaintiff's Exhibit 8*.

The court is aware that Dr. Humphrey testified almost a year after he completed his psychological evaluation of this family. Moreover, this decision is rendered more than forty months after the completion of the evaluation. Nonetheless, Dr. Humphrey’s report, testimony and recommendations are informative, although not dispositive.

This court is required to “consider the child’s present best interests and not what would have been in [his] best interests at some previous time.” (Emphasis omitted; footnote omitted.) *In re Juvenile Appeal (Anonymous) v. Commissioner of Children and Youth Services*, 177 Conn. 648, 664, 420 A. 2d 875 (1979). Our appellate court has noted: “In the exercise of its awesome responsibility to find the most salutary custodial arrangement for the children of divorce, the court must . . . take account of the parents’ past behavior, since it must evaluate their present and future parenting ability and the consistency of their parenting for the purpose of determining

which parent will better foster the children's growth, development and well-being. *Yontef v. Yontef*, 185 Conn. 275, 283, 440 A.2d 899 (1981).

The delay between Dr. Humphrey's completion of his psychological evaluation and his testimony was the result of Dr. Smith's reunification therapy and Ms. Guiliano's sabotage of that therapy. Those delays necessarily affect the weight the court affords Dr. Humphrey's testimony. See *Hally v. Hospital of St. Raphael*, 162 Conn. 352, 358-59, 294 A.2d 305 (1972). "It is . . . within the court's province to determine the credence to be given the expert's testimony and to properly weigh it in relation to the other circumstances in evidence bearing on the question in issue." *Bond v. Benning*, 175 Conn. 308, 313, 398 A.2d 1158 (1978).

Dr. Humphrey conducted over twenty hours of interviews with more than twenty people in addition to Mr. Reich, Ms. Guiliano and Michael, including their extended family members, past and present significant others, friends, therapists and other professionals, reviewed nearly three hundred documents⁶ and conducted tests on Mr. Reich, Ms. Guiliano and Michael.

Dr. Humphrey concluded to a reasonable degree of scientific certainty that "nothing in any of the information reviewed, interviews with the parties, and testing indicates that Mr. Reich sexually abused Michael in any way." Dr. Humphrey is also a mandated reporter. In the course of his investigation, Dr. Humphrey noted that "Ms. Guiliano has considerable difficulty

⁶ Dr. Humphrey testified he reviewed every document anyone – including but not limited to Mr. Reich, Ms. Guiliano and Ms. Johnson – provided to him.

tolerating views that differ from her own and may look to Michael to an unhealthy degree to validate such.” *Defendant’s Exhibit H*.

Dr. Humphrey recommended Mr. Reich work on his parenting skills due to concerns about his ability to listen to Michael and validate the child’s concerns. Dr. Humphrey noted from his interviews that when Michael reported events to his primary medical provider, Mary Leahy, Mr. Reich offered an alternative explanation or qualified Michael’s descriptions. Dr. Humphrey believes Mr. Reich needs to develop the capacity to listen to Michael and reflect on what Michael says rather than trying to qualify or justify his own behavior.

Dr. Humphrey opined that it is Ms. Guiliano’s vehement and intense antipathy toward Mr. Reich that is the primary cause of Michael’s fierce and unequivocal rejection of his father.

Finally, after Mr. Reich had gone almost three years without seeing his child, a hearing was held on March 11, 2019, before the court, *Simón, J.* After reviewing Dr. Humphrey’s extensive report, *Defendant’s Exhibit H*, and hearing from the parties, Judge Simón ordered, among other things, that intensive reunification therapy commence immediately with Dr. Linda Smith, consistent with Dr. Humphrey’s recommendations (docket entry #364).

At the time of entering his order relating to such reunification therapy, Judge Simón warned the parties that he would not hesitate to change custody if Ms. Guiliano engaged in behavior to frustrate the reunification process or otherwise continued to alienate Michael’s relationship with his father. Specifically, Judge Simón ordered: “Should the mother not fully

engage and cooperate with the family intervention therapy and any and all recommendations of the family intervention therapist, the matter will return to court where the decision to remove the child from the mother's custody shall be strongly considered." *March 11, 2019 orders*, ¶11, p. 2.

The court ordered reunification therapy began in early May 2019.

By September 26, 2019, Michael had seen Dr. Smith about ten times. On that date, Ms. Guiliano sent an email to the GAL in which she accused Dr. Smith of mentally and emotionally abusing Michael. She claimed that Michael was being traumatized and brainwashed by the therapy process and she accused Mr. Reich of being a "narcissistic manipulative psychopath." *Defendant's Exhibit B*. Eight days later, Ms. Guiliano signed an agreement allowing intensive reunification therapy to occur.

The parties' October 4, 2019 agreement (docket entry #387.20) provided, inter alia, that "the family will participate in intensive family therapy with Dr. Linda Santos Smith in accordance with the March 11, 2019 court order. The intensive therapy shall begin on Saturday, October 5, 2019 and encompass Saturday, the fifth, Sunday, the sixth, and Monday, the seventh, if Dr. Smith deems necessary." *October 4, 2019 agreement*, ¶1, p. 1; *Defendant's Exhibit D*.

On October 8, 2019, the court conducted a status conference. The GAL reported to the court, in chambers, that in the weekend sessions, Mr. Reich and his son had made significant progress in restoring their fractured relationship and the sessions were "therapeutically

successful.” She also advised the court that Michael and his father had been together for the first time since July 2016.

The GAL noted that both parties had concerns that they intended to discuss with Dr. Smith in a therapeutic setting. The parties had another therapy appointment scheduled with Dr. Smith on October 10, 2019.

The GAL also reported to the court that the parties had done an outstanding job cooperating in therapy and that Dr. Smith was particularly positive about the manner in which Ms. Guiliano participated in the therapy. Attorney Thomas Esposito, Ms. Guiliano’s counsel at the time, echoed the GAL’s comments about how well his client had conducted herself in the therapy sessions.

Despite the positive reports from Dr. Smith, the GAL and Attorney Esposito regarding Michael and Mr. Reich’s positive progress in therapy, Ms. Guiliano testified that the reunification process was abusive and served to manipulate Michael by brainwashing him and causing him to lose friendships and be unable to focus in school.

The court concludes that Dr. Smith, the GAL and Attorney Esposito’s observations of the progress Michael and Mr. Reich made in therapy were more accurate than Ms Guiliano’s fanciful account.

While Attorney Cousineau was in the midst of repeating her report to the court on the record, Attorney Nickola Cunha rose from the gallery and interrupted the proceedings in the

manner of the cheesiest Hollywood courtroom drama to announce that she had filed an appearance on behalf of Ms. Guiliano. She claimed that Ms. Guiliano had an objection to what was being represented to the court.

Attorney Cunha asserted that the recommendations of the GAL were in violation of General Statutes §§ 17-106a and 17-106 (8) because Attorney Cousineau is a mandated reporter. She is not. Connecticut General Statutes § 17a-101 (b) lists forty categories of individuals who are mandated reporters. Attorney Cousineau does not fit into any of them, either individually or as a GAL.⁷

The crux of Attorney Cunha's charges was that disclosures occurred during the therapeutic session with Dr. Smith that required a mandated reporter to notify the DCF, but she did not do so.

In fact, Dr. Smith made a report to DCF and canceled the October 10, 2019 therapy session while DCF evaluated the report.

⁷ On March 18, 2022, a reviewing committee of the statewide grievance committee concluded that in making these accusations against the GAL, Attorney Cunha "made a knowingly false statement to the Court, in violation of Rule 3.3 (a) (1) of the Rules of Professional Conduct; that this statement was not supported by admissible evidence, in violation of Rule 3.4 (5) of the Rules of Professional Conduct; and, [was] conduct prejudicial to the administration of justice, in violation of Rule 8.4 (4) of the Rules of Professional Conduct." *Connecticut Statewide Grievance Committee, Decision, Complaint #19-0649*, p. 6. The reviewing committee further concluded "that the statement constituted a threat to present criminal charges against [Attorney Cousineau] and was made solely to obtain an advantage in the family matter, in violation of Rule 3.4 (7) of the Rules of Professional Conduct, and had no substantial purpose other than to embarrass, delay or burden [Attorney Cousineau] in violation of Rule 4 (a) the Rules of Professional Conduct. *Connecticut Statewide Grievance Committee, Decision, Complaint #19-0649*, p. 6. The reviewing committee directed Disciplinary Counsel to file a presentment against Attorney Cunha in the Superior Court "for the imposition of whatever discipline the court may deem appropriate." *Connecticut Statewide Grievance Committee, Decision, Complaint #19-0649*, p. 86.

Attorney Cunha declined to describe the actual disclosures on the record, but claimed they required that Michael be protected from his father. Attorney Cunha also claimed that Michael should not be involved with any therapy until DCF had been notified. She charged that the GAL was not protecting Michael and that Attorney Esposito was not appropriately representing his client, advising him to put his malpractice insurance carrier on notice.

The alleged disclosures were not in fact disclosures at all. DCF rejected Dr. Smith's report out of hand on the ground that it was a rehash of earlier reports that had not been substantiated. DCF's rejection of Dr. Smith's report did not deter Ms. Guiliano from her goal of preventing reunification therapy from occurring.

Ms. Guiliano's apparent cooperation with the therapeutic process was an act and her positive participation in it was carefully staged.

Ms. Guiliano testified that at the October 4, 2019 court session, she was being attacked so she called Attorney Cunha to ask for help.⁸ This court did not witness any attack on Ms. Guiliano; it heard only praise from the GAL for what turned out to be Ms. Guiliano's feigned behavior.

On October 8, 2019, Ms. Guiliano also revoked all authorizations for Dr. Smith and the GAL as they related to Michael and her. Dr. Smith and the GAL were no longer authorized "to

⁸ Ms. Guiliano testified that Attorney Cunha happened to be in the courthouse on another matter. Perhaps she was, but the court takes judicial notice of the fact that Attorney Cunha was not the attorney of record in any matters pending in this court at the time. Attorney Cunha's outburst had all the earmarks of a carefully staged event.

disclose, discuss, and exchange any information concerning Ms. Guiliano or Michael.”

Defendant’s Exhibit EE. The withdrawal of authorization effectively terminated the reunification therapy in violation of Judge Simón’s March 11, 2019 orders, which provided: “The GAL and Dr. Smith shall have the ability to freely discuss the intervention therapy and any other topics that may assist the therapy and the parties shall sign appropriate authorizations allowing same to occur.” *March 11, 2019 orders*, ¶14, pp. 2 & 3.

Ms. Guiliano later signed the new authorization but she did not restart the reunification therapy. *Defendant’s Exhibits GG & OO.*

On November 9, 2019, this court issued an order that reunification therapy with Dr. Smith was to recommence immediately (docket entry #428). Specifically, the court ordered, inter alia “The defendant shall re-engage Dr. Linda Smith to conduct family therapy with the minor child and his parents, proceeding in a manner at her discretion. The plaintiff is responsible for insuring the minor child attends all of the therapy sessions scheduled by Dr. Smith. The therapy sessions shall be of the highest priority, exceeded only by the child’s attendance at school. The parents shall participate in therapy at Dr. Smith’s direction.” *November 9, 2019 order.*

Following DCF’s rejection of her report, Dr. Smith made repeated efforts to restart the family therapy. Dr. Smith wanted Michael to have therapy on a school day, but Ms. Guiliano objected. Dr. Smith then offered to see Michael on a Sunday, but Ms. Guiliano wanted him to go

to his soccer tournament instead. The GAL requested the name of Michael's soccer team and its schedule, but Ms. Guiliano refused to give her the information. *Defendant's Exhibits DD & SS*. Michael has not been to reunification therapy with Dr. Smith since October 7, 2019, nor has he seen his father.

In response to Dr. Smith's efforts to schedule additional therapy sessions, Ms. Guiliano's counsel wrote to Dr. Smith on November 6, 2019, stating: "there is no need for scheduling future services. I have put the court on notice that I am seeking to enforce the protections that are in the court orders for the minor child to provide 'reunification therapy should be abandoned.'"

Defendant's Exhibit WW.

Ms. Guiliano has claimed at various times that she no longer has to participate in reunification therapy because Mr. Reich violated Judge Simón's March 11, 2019 orders (docket entry #364). One of those orders provides: "Should the father not fully engage and cooperate with the family intervention therapy and any and all recommendations of the family intervention therapist or these court orders, the attempt at reestablishment of a relationship between father and son should be abandoned unless otherwise ordered by the court." *March 11, 2019 orders*, ¶10, p. 2.

To justify her refusal to participate in reunification therapy, Ms. Guiliano points to the portion of Judge Simón's orders that provide: "The Father shall remain in therapy with Dr. Sidney Horowitz or a Ph.D. level therapist if Dr. Horowitz is unable to provide services." *March*

11, 2019 orders, ¶3, p. 1. Judge Simón also ordered that “if the therapist is unable to provide services, then the parent shall engage with a Ph.D. level therapist only after providing the name of the new therapist to the guardian ad litem and all counsel. The GAL or the mother shall have the opportunity to file an objection with the court in the selection of said therapist.” *March 11, 2019 orders, ¶4, p. 1.* Ms. Guiliano has asserted that because Mr. Reich is no longer treating with Dr. Horowitz, in violation of the order, she does not have to participate in reunification therapy.

Ms. Guiliano’s reasoning ignores that portion of the orders which provides “unless otherwise ordered by the court.” *March 11, 2019 orders, ¶10, p. 2.*

Michael attends the Farmington Valley Academy Montessori school and has since he was a toddler. Mr. Reich has a contentious relationship with the school personnel based on his perception that they have sided with Ms. Guiliano in the parties’ disputes. In addition to encouraging Michael to create a list of his concerns about his father, school personnel wrote general letters directed to “whom it may concern” at Ms. Guiliano’s request. Ms. Guiliano then attempted to use those letters against Mr. Reich in their various court battles.

Ms. Guiliano hates Mr. Reich with every fiber of her being. She has done everything in her power to prevent Michael from having any relationship with his father. She has manipulated the court, DCF, therapists, medical providers and the police by twisting facts, telling half-truths, making threats and withholding key information, all in her single-minded effort to prevent Mr.

Reich from having a relationship with his son. She has also treated clear and unambiguous court orders as suggestions, completely ignoring them when it suited her purpose.

It is not at all clear that Ms. Guiliano really believes that Mr. Reich sexually abused Michael, but she seems to have convinced Michael that sexual abuse occurred.

None of the experts who were provided with all of the facts believe that Michael was sexually abused by his father. Ms. Guiliano did not offer expert testimony in support of her claim that Michael was sexually abused.

This court issued a second order on May 25, 2021 (docket entry #442), that the defendant “shall reengage Dr. Smith to conduct family therapy with Michael and his parents, proceeding in a manner at her discretion. The plaintiff is responsible for insuring Michael attends – in person – all of the therapy sessions scheduled by Dr. Smith. In the event the plaintiff is unable to transport Michael to an in-person therapy session, she shall enlist a third-party to do so. If Michael has not recommenced therapy with Dr. Smith in person within thirty days of this order – for any reason other than Dr. Smith’s unavailability – the court will remove him from the plaintiff’s custody. The therapy sessions shall be of the highest priority exceeded only by Michael’s attendance at school.” *May 25, 2021 order.*

Ms. Guiliano ignored the order. Michael did not recommence therapy.

This court ordered Ms. Guiliano to participate in reunification therapy twice after she unilaterally ended it in October 2019. She failed to obey either order.

In a letter dated June 21, 2021, Dr. Smith declined to continue as the family therapist. Dr. Smith described a communication she received from Ms. Guiliano expressing concerns about Dr. Smith's ability to be neutral. Dr. Smith also made positive comments about Michael's progress in his relationship with his father.

Dr. Smith provided the names of three potential replacement therapists. This court instructed the GAL to contact the potential providers to determine if one of them could assist the family in the reunification therapy. Before the GAL could do so, Ms. Guiliano contacted each of the potential therapists directly, all of whom subsequently declined to become involved in the case.

This court issued an additional order on August 3, 2021, for the GAL to identify two potential reunification therapists and prohibited anyone connected with the case from having any direct or indirect contact with any of the individuals the GAL identified.

Despite Judge Simón's direction, Ms. Guiliano did not "fully engage and cooperate with the family intervention therapy and any and all recommendations of the family intervention therapist."

Mr. Reich offered Mr. Glowa as a reasonable alternative to take custody of Michael. It was clear to the court from Mr. Glowa's testimony that while he was well-intentioned, he did not fully appreciate the magnitude of the task he and his family were being asked to undertake.

Michael has a fundamental right to have a relationship with his father. He will never have that relationship or even a chance to have it, as long as he is in Ms. Guiliano's custody. It is in Michael's best interest for him to be in an environment in which his mother does not have the opportunity to manipulate him or thwart his relationship with his father.

Mr. Reich has not been with Michael in nearly six years, except for a brief therapy session with Dr. Smith. It would not be in Michael's best interest suddenly to be placed in his father's custody, especially when Ms. Johnson and her children live in Mr. Reich's home.

ORDERS

The plaintiff's October 8, 2019 ex parte application for custody (docket entry #388.05) was denied.

The plaintiff's October 8, 2019 motion for modification (docket entry #388.07) is denied.

The defendant's October 10, 2019 ex parte application for custody (docket entry #389) was denied.

The defendant's October 10, 2019 motion to modify custody (docket entry #390) is granted, in part, consistent with this decision.

Michael's conditions and circumstances have been brought to the court's attention on seventeen days of hearings over two and a half years. Michael is in immediate physical danger from his surroundings based on applicable case law. Continuation in Ms. Guiliano's home is contrary to Michael's welfare. Michael shall be placed in the care and custody of the

Commissioner of Children and Families pursuant to General Statutes § 46b-56 (a). Reasonable efforts by the state to prevent or eliminate the need to remove Michael from Ms. Guiliano's home were not possible although extraordinary efforts to prevent or eliminate the need for removal of Michael from Ms. Guiliano's home were made by the court on at least three occasions over a four year period.

DCF shall foster and facilitate the intensive therapy recommended by Dr. Humphrey and ensure that neither parent has contact with Michael under circumstances that would undermine or thwart the therapy.

The appointment of the GAL is extended to September 30, 2022. She shall provide DCF with any information from the file or regarding the parties or Michael that it needs to accomplish its mission.

The plaintiff's October 25, 2019 motion for order (docket entry #392) is granted.

The defendant's November 19, 2019 motion for contempt (docket entry #399) is granted. The court finds by clear and convincing evidence that the plaintiff willfully violated a clear and unambiguous court order. The court declines to impose sanctions at this time.

The GAL's December 5, 2019 motion for contempt (docket entry #403) is granted. The court finds by clear and convincing evidence that the plaintiff willfully violated a clear and unambiguous court order. Ms. Guiliano shall pay her portion of the GAL's fees at the rate of

\$500 a month – payable on or before day 15 of each month – until her obligation is fully satisfied.
She shall be fined \$50 for each payment deadline she misses.

The GAL's January 7, 2020 motion for contempt (docket entry #406) is granted. The court finds by clear and convincing evidence that the plaintiff willfully violated a clear and unambiguous court order. The court declines to impose sanctions at this time.

The plaintiff's September 2, 2020 ex parte application for custody (docket entry #418) was denied.

The defendant's September 14, 2020 motion to modify (docket entry #420) is denied.

The defendant's December 18, 2020 motion for contempt (docket entry #430) is granted. The court finds by clear and convincing evidence that the plaintiff willfully violated a clear and unambiguous court order. The court declines to impose sanctions at this time.

The plaintiff's May 12, 2021 motion for contempt and sanctions (docket entries #433 and #433.01) is denied.

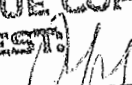
The defendant's May 24, 2021 ex parte application for custody (docket entry #439) was denied.

The plaintiff's October 21, 2021 motion to expedite (docket entry #455) is denied.

So Ordered

435706 _____, J.
Robert Nastri, Jr., Judge

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A TRUE COPY
ATTEST:

DANIEL FICACELLI
STATE MARSHAL, HARTFORD COUNTY

DOCKET NO.: HHD FA12 4064290 S

SUPERIOR COURT

RONNA MARIE GUILIANO-REICH

J.D. OF HARTFORD

V.

AT HARTFORD FAMILY

STEPHEN A. REICH

March 19, 2021

Facts to Find

Please bear with me, as I lost my attorney who was disbarred in February of 2022, just as these facts to find needed to be accomplished. In reviewing everything from the last 7 years, I am reminded I did the right things to protect our son's life. Had my ex husband's abuse continued, our son would not be the extraordinary person he is today. I do not have all the files and records or transcripts. I did the best I could with what my previous attorney had started and then I gathered from memory, testimony, and whatever documents I had.

I have and continue to provide a safe, nurturing, healthy, and productive environment for our son. The outcome of our son being in my care has resulted in him growing into an amazing young man.

On January 12, 2022, the founder and head of our son's school, FVAM, testified (She was our son's teacher, she travelled on all school trips, including overnight trips, and she was one of the camp counselors during the summer). Beginning on page 120 line 6, she stated that our son "is an excellent student. He is motivated to learn. He does a lot of self-teaching. He always completes his homework. He is more or less your ideal student. He's intelligent. He's responsible. He's communicative, and he has a very high skill level." She goes on to testify about our son's interactions with his peers (Note: Our son has attended this particular Montessori school since age one; he also attended the school's summer camps each year, as well as, the 4 day trip to the Model United Nations event; our son was the youngest student to ever be elected, by the students, from around the world, to represent them at the closing ceremony at this event in NYC. Our son spoke in front of approximately 3,000 people). In her same testimony on January 12, 2022, on line 17, our son's teacher/ head of school describes our son's interaction with peers. She testifies that our son "has lots of friends. He's – he's a good friend to other people. He doesn't – he's--- very socially at easy and at home. He values his friends. They value him. They value his opinion. He's an all-around, you know, really good kid." She testified he is an "outstanding" person.

Our son decided to participate, for the first time, in the CT State Science Fair. He made it to the Finals. His idea / invention centered on integrating AI (Artificial Intelligence) into hydroponics. He spent his chore money etc, purchasing a raspberry pi and other equipment / shelving/ dry erase boards, etc. He transformed a room in our home into his research laboratory, like a little mad scientist and even has Einstein on the wall. Our son is graduating in the top of his class.

More importantly, our son is happy in his academic and social life. He no longer has tics. Please read the school records and records from his neurologist. Our son sleeps well and he eats well. Stress is found to reduce the size of your brain capacity. It is well known that child abuse and pervasive / ongoing daily stress leads to adult mental health problems. (Springer et al Long Term Health outcomes of child abuse, which was supported by the National Institute on aging grants).

Our son is strong-willed and speaks his mind. He has morals, values, integrity, and empathy. He is detail oriented, smart, articulate, and loves debate. He resents manipulation and when he is done, he is done. He is a computer genius. He fixes everything computer related. He is an honorable, protective, loving, and a funny young man.

The head of the school stated that our son would benefit from being challenged in High School. He has consistently scored in the 90's percentile range on standardized testing and in 7th grade was scoring at high school grade levels. He has been accepted into one of the top schools in New England that can offer him an amazing experience, spiritually, cognitively, and socially. Our son deserves peace as he enters a new community/family environment. He doesn't deserve abuse and trauma bleeding all over his next chapter in his life on his new highschool campus from his father who likes to promote conflict and fear and do anything but promote healing. Our son deserves to have a normal life, free from battle with an amazing highschool experience. I have always shielded our son. I am a protective mom, who is warrior for her son.

Dr. Humphrey testified on December 18, 2019. On page 129 in response to the statement that it's proper to do what is best for the child and not for the parents, Dr. Humphrey responds that he would say it's a guiding principle for professionals like him, who work in the court. This runs counter to GAL, Sal Cousineau who testified under oath that she did not believe her job was to do the best interest of the child. Judge Simon stated several times including in May 2017 and 2018 that the GAL's job is to focus on the best interest of this child and not the wishes of the parents.

Dr Humphrey says in response to my ex husbands actions perpetrated upon our son that in terms of sexual specific behavior it is unclear; he goes on to say in other words ,behavior for the intention of sexual gratification or any factors that would indicate sexual interest or sexual gratification **are unclear**. So perhaps we need to modify the criminal codes so that we make it where everyone is allowed to pull on children's private parts even after they say it hurts and its legal as long as you're the parent or as long as you just say that you weren't looking for sexual gratification, you can still do it; **there either is a law or there's not a law**. The same behaviors that my ex-husband did to our son, he can't do to Dr. Humphrey's son or anybody else's son, so why does he get to do all those things to our son?

Dr. Nancy Eiswirth saw everything and spent days with me as I sought her help, advice, and opinions. She warned me that she usually testifies for the defense (alleged abuser). For this reason, I valued her feedback and advice even more. Dr. Eiswirth stated some of the symptoms (regarding my ex husband) she could see when reviewing all the evidence, does exhibit signs of someone that may have been sexually abused themselves, poor impulse control, lack of personal boundaries, need for control over the child, etc. She stated the defendant has "issues." This is in alignment with his eventual diagnosis of Anti Social Personality Disorder in December of 2018.

On December 18, 2019 Page 124 Dr. Humphrey testifies that a doctor should say if they can't do the work or if something's not needed and he uses an example of someone doesn't need the therapy or doesn't have the diagnosis, then they shouldn't do the work; that's good practice. Dr. Danitz said our son doesn't need any therapy and that he is absolutely fine and that continuing with the therapy can only be harmful because he doesn't need it or want it. That's an honest doctor that doesn't care about money. Our son trusts Dr. Danitz. I trust Dr. Danitz.

7/14/21 Report Dr. Francis DiMario, Neurologist CCMC: Reported that "Despite his age, he has good insight into his personal desires for his education and life plan. He does not feel that counseling offers him benefit nor does he voice a desire to pursue this. I do not suggest any testing or other interventions at this time. He is capable of voicing his own choices, needs, and wants at the present time, which deserve being listened to regardless of the outcome of his parent's litigation."

For the past seven years, I have been forced to defend attacks against me that were an unfortunate distraction from the important goal of protecting the safety and well being of our son. My ex husband is a violent man, whom has committed acts of sexual abuse, physical abuse, psychological and emotional abuse to our son. He has not taken responsibility for his acts and even when he did, for a brief time, he minimized it, and told his son that his son enjoyed having his penis played with by his father. That is abuse in and of itself. See transcripts, GAL Notes, Dr. Humphrey's Report, DCF file, Police report. See Laura Bushy's statements in DCF file how my ex husband would call our son and yell to put it on speaker so my ex husband could then yell at me too that I am feeding our son breakfast too late. It was a non school day and I had already made him breakfast but I had breakfast later than our son so when he saw me eating he just wanted more and it was only like 10:30 am, so technically still morning. Laura Bushey was my assistant and she was horrified on a multitude of occasions. Laura actually pointed out for me how bad it really was getting. I was more use to it and could know what to do and how to be cute or whatever and keep him calm. One time police was involved and our son was frightened because my ex husband blocked me from entering my garage.

My ex husband continues to lie and now threatens me with ongoing litigation. It is my ex husband that has engaged in vexatious litigation.

My ex husband has violated restraining orders put in place by this court.

My ex husband gave false narratives to the court and illegally disseminated DCF records and lied to a court about doing so. The police records state my ex husband admitted to pulling on his son's penis and going "boing" in 2014 while also pulling on his own penis and going "boing." My ex husband admitted in that same police report to showering his son and drying him off in 2015 (at age 7). Yet the defendant told the judge that he stopped playing with our son's penis and showering him in 2014. My ex husband's interview with Avon police was on video. My ex husband committed perjury. He intentionally placed a false narrative before the court, hoping this court will enjoin his attack on the plaintiff mother, as he has threatened to attack plaintiff again in another court venue for vexatious litigation. The harassment never seems to end.

Of importance is that My ex husband is close friends with Rich Rochlin for many years as well as his significant other has been friends with Rich Rochlin for over 25 years. Whereas Plaintiff was friendly with primary care Mary Leahy only when their children were involved. In fact, plaintiff never went on vacations with her, it's all false. Further, my ex husband's significant other is the one who was friends with Mary for many years including on social media. With the assistance of his

friend and attorney, Rich Rochlin, My ex husband committed perjury on or about December 3, 2019. My ex husband stated under oath that showering with his son stopped completely in 2014 when he and his son and ex wife had a family meeting in November of 2014 to discuss his son telling his mother that "Daddy hurts my private part." Yet, the police report, which we assume Attorney Rochlin has read clearly, stated that My exhusband admitted to showering with his son in 2015.

The police report by Detective Reid dated 8/24/16 states "I asked SR about the shower routine in **2015** and he stated that he has a shower with 2 heads (note: shower tower that use to be in the marital home that his ex wife gave to Mr. R to install in his condo consisted of 2 shower heads 12 inches apart). Mr. R goes on to say he (Mr. R) **WOULD WASH HIS SON** IN THE SHOWER AND THEN DRY HIM OFF with no issues. **The two would shower together.** So Mr. R clearly lied to a judge and Attorney Rochlin violated his oath for knowingly allowing a false narrative to be told to a judge. People are suffering as a result of false narratives and unethical behaviors by officers of a court.

December 3, 2021 Page 34 line 12 Attorney Rich Rochlin: "And you recall some testimony yesterday regarding, **I think you testified several**, maybe a few incidents, after your son got out of the shower?"

SR: "correct"

Line 16 "Okay, and at some point you stated that when that was raised with you, that it immediately stopped, and your son showered by himself again, and it never occurred again. Isn't that right? (Note: **officer of the court Rich Rochlin leads his witness to assist in lying to judge**).

Line 20 Mr. R says "correct."

Rich Rochlin then asks "All right. When was that, sir?"

Mr. R responds "that was sometime in 2014."

So Mr. R should not be trusted and has perjured himself. Further, this court should find that Mr. R told DCF that he pulled out his own private part and played with it while he watched his son pull out his own private part and play with it. Some psychologists would say that's grooming behavior. Some laws would say that a nanny or priest can't do that. That's impairing the morals of a minor, sexual assault and to a boy, who in 2015 was 7 years old. Some laws don't consider the mindset of sexual gratification or if it was done to exert control when they determine if it's a violation of law or not. Meaning the same things admitted to being done to this boy would never be allowed to be committed upon the