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Testimony to the Kansas State Senate Judiciary Committee

SB 157 Creating a presumption in favor of shared parenting time for temporary orders.

Letter in Support to this bill

My name is Will Mitchell. I want to thank Chairman Wilborn, and Senators Hailey, and Peterson for sponsoring Senate Bill 157. And also want to thank senator Wagle and Longbine sponsoring this bill. Mr. Chairman, Members of the Committee, thank you for the opportunity to speak with you today.

Children need both parents. Not many people will argue against that. Judges have a very difficult job, but many parents and lawyers are using loopholes to take advantages in the system. I am an active member National Parents Organization. This group advocates for the best interest of children and we have been working towards changing an epidemic that is destroying families, parents and children. The family court system, as it now exists, is stripping the rights of children to have equal access and opportunity with both parents. We advocate for a presumption in favor of equal shared parenting and residence as being in the best interest of children and we support SB 157 as a good step in that direction. This change will improve the lives of children and of society as a whole by protecting every child's right to the involvement of both loving parents after separation or divorce.

A divorce or separation does not destroy the family; it only changes it. Parents choose to leave their partners, not their children. They are not giving up their right to parent their children. I was told by my lawyer that under the current family laws if one parent wouldn't agree to 50/50 time then the court will not order it. **I ask you, if one parent knows that they will get the residential custody if they don't agree, what is the incentive for them to agree?** In speaking with retired judges and lawyers, the often repeated line for giving one parent the bulk of parenting time is that, "children need consistency." Because of school schedules and bus routes and such. It is true that children need consistency but they need it with their parents not the "school bus driver." And really, our society has changed. Both parents now work outside the home. A father can take a child to daycare or school just as easily as a mother.

The research is overwhelmingly in favor of equal shared parenting and we have included in our packets, articles by Edward Kruk, Professor of Social Work at the University of British Columbia, specializing in child and family policy; Dr. Linda Nielsen, who has been a Professor of Adolescent and Educational Psychology at Wake Forest University in

Winston Salem, NC for 36 years-her areas of expertise are shared parenting and father/daughter relationships; and an article from National Parents Organization talking about the excellent research from Dr. Richard Warshak, PhD, a prominent American Clinical and Research Psychologist and author of books about Parental Alienation and other family and children issues-his research papers are on our website but are too lengthy for us to include here.

It is obvious and the research shows, children benefit most from the active involvement of both parents. If there is no proof of abuse, neglect or drug use, the increasing evidence proves that equal shared parenting and joint residence promotes the welfare of both child and parents after divorce or separation.

Let me list some of the advantages of 50/50 Shared Parenting:

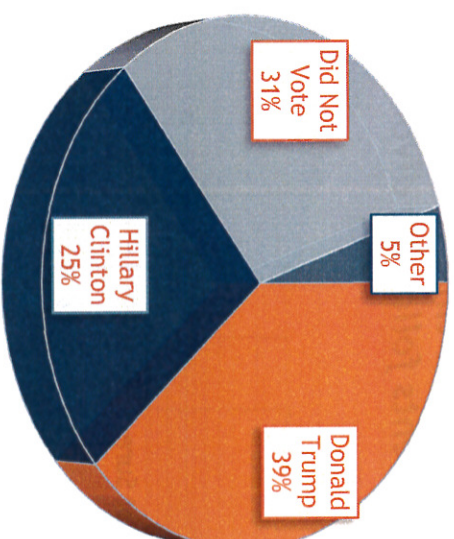
- Affirms parents are forever
- Children's attachment bonds are not broken
- Children feel less rejected
- Fear of losing parent is diminished
- Children will adjust better when equal contact is continued
- Reduces risk of losing contact with extended family
- Protects child's right to the involvement of both parents
- Will equalize the authority
- Eliminates the demeaning and artificial concept of visitation
- Allows parents to personalize and tailor a plan to fit unique needs
- One spouse cannot victimize the other through contact denial
- Litigation and re-litigation is lowered

Children's relationships are very important and the developmental problems related to divorce stem mostly from lost adult-child bonds. The role of law in the lives of children must be to protect their connections with those that love them. **Kansas has the opportunity to improve children's educational achievements, decrease their use of drugs, give them a greater sense of security, increase their child support payments, and improve their overall health and adjustment without any cost to the taxpayer – all by passing shared parenting into law.**

Respectfully Submitted,

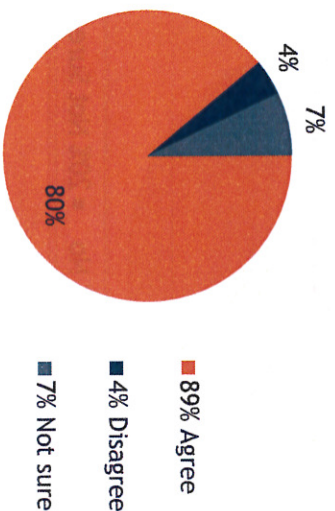
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IN THE ELECTION FOR PRESIDENT, DID YOU VOTE FOR REPUBLICAN DONALD TRUMP, DEMOCRAT HILLARY CLINTON, SOMEONE ELSE, OR DID YOU NOT VOTE IN THE ELECTION?



DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENT:

A child's health and well-being is better met when both fit and willing parents are equally involved in the child's life, and share responsibility for the child, rather than one parent.



Shared parenting views by respondents who voted:

| | Donald Trump | Hillary Clinton | Other |
|-----------------|--------------|-----------------|-------|
| Support | 87% | 87% | 91% |
| Oppose | 5% | 5% | 2% |
| Not Sure | 9% | 8% | 7% |

Researchscape International is a market-research consultancy specializing in third party custom surveys. The detailed results of this survey can be found at http://www.researchscape.com/offer/pdfs/Parental_Rights_Attitudes_in_Kansas.pdf. For questions about this survey call +1-888-983-1675 x 1 or visit <http://www.researchscape.com/>.

Parental Rights

Researchscape Report

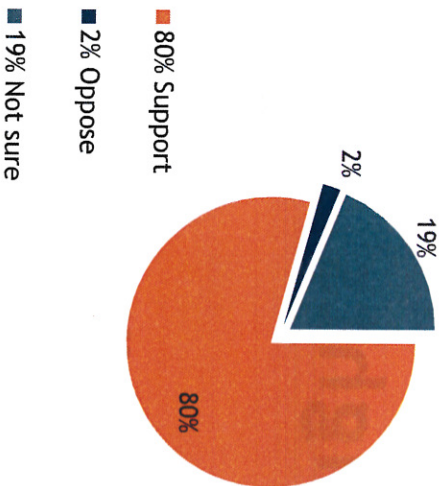
Summarized results of Kansas Poll

Results fielded February 28 - March 1, 2019



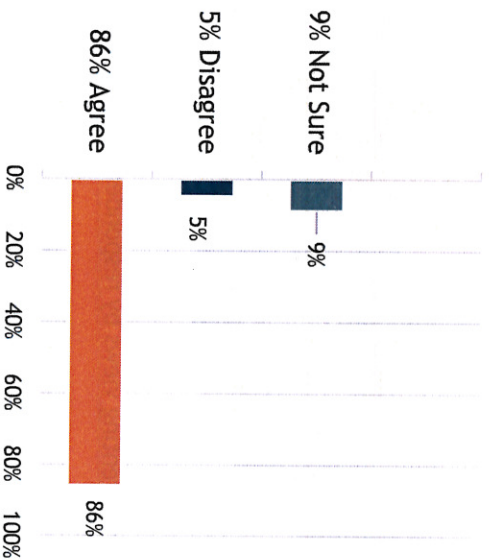
Kansas Recently proposed a law that encourages courts to give fit parents equal parenting time after divorce.

DO YOU SUPPORT OR OPPOSE THIS NEW LAW?

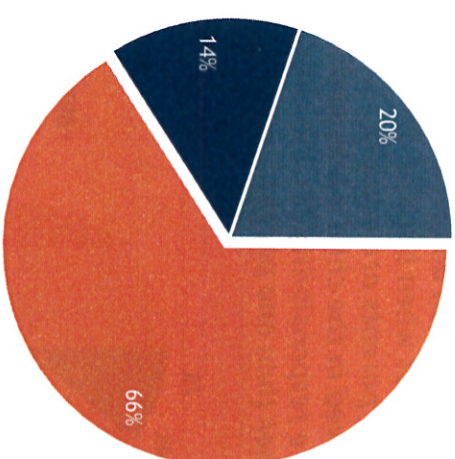


DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENT:

A child would benefit from having equal time with both fit parents following divorce.



DO YOU GENERALLY BELIEVE THE FAMILY COURTS ARE MORE LIKELY TO GIVE FATHERS LESS THAN EQUAL PARENTAL RIGHTS, OR NOT?



■ 66% Yes ■ 14% No ■ 20% Not Sure

66% of survey participants generally believe the family courts are more likely to give fathers *less than equal* parental rights.

14% do not generally believe the family courts are more likely to give fathers less than equal parental rights.

