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Testimony to the Kansas State Senate Judiciary Committee
SB 257 Creating a presumption of child's equal time with parents during court determinations of legal custody, residency or parenting time.

Letter in Support to this bill

Mr. Chairman, Members of the Committee, thank you for the opportunity to speak with you today.

My name is Will Mitchell. I am a veteran, history teacher, husband, and father of two wonderful boys. I can remember as a student in Manhattan Christian college writing a paper over a question that our professor had asked us. The professor asked us what we thought would be the greatest thing to devote ourselves to in ministry. I thought long and hard about the subject which I would write my paper. My conclusion was that the greatest thing I could accomplish and look forward to in my life was to be a father. When my sons were born it was the greatest two days of my life. Since that time I was an active hands on father, never missing a day. When their mother left I went from having a primary role in their life to a "weekend visitor". Now I would like to try and explain the pain and hurt I had during that time, but I can't. It was a very difficult time knowing my children were out there and I didn't have the right to see them, to hold them, or to tell them I love them. I don't have the words to describe how difficult it was to be away from them. I remember the first time I was allowed to see them after the being denied access to them for so long. I still remember the smile on my youngest son's face when he saw me. He jumped up and ran into my arms. Words can't describe that either.

I would go on to hire an attorney and attempt to use the legal system in order to gain equal access to my children. It was through this process I became familiar with the many troubling issues with our current custody laws. After a very long and expensive trial I was granted more time with my children, but I left that courtroom broken hearted that I couldn't have equal time with my children. You see, I found out that day that I can have equality in every other aspect of my life, but not as a parent. I can have equality and serve my country in the military, but not as a parent. I can have equality in my job, but not equal time with my kids.

The saddest part of this reality is that my children are really the ones who suffer. The research and common sense says children need both parents. My boys deserve the right to have equal access to two, fit parents. Studies have shown children can start forming lifelong habits by the age of 16. This period in adolescence is crucial in developing the

identity, security and overall quality of life and children need both parents in order to help in this process. I urge you to pass Senate Bill 257 as written today because time is slipping away. My boys grow older every day and so do thousands of children across the state who also do not have equal access to both parents. We must act now to allow fit and willing parents to have a key role in developing positive habits for future generations.

There's been talk about this bill possibility having some unintended consequences, but I'm here to tell you current custody laws are already having catastrophic, unintended consequences. These consequences have created generations of single parent homes. Statistics say this has led to higher crime rates, increased high school dropout rates, and increased poverty. But the opposition doesn't want to address these unintended consequences. They want to keep the current laws intact because this bill may, possibly, have an unknown effect on federal subsidies?

There's been talk that this bill would lead to more high conflict, expensive custody disputes. But the research proves this is not the case. An independent study by Dr. Linda Nielsen shows shared parenting actually reduces the amount of fighting and high conflict divorces. Her research makes sense. Are you more likely to get along and compromise with someone if they treat you equally or if you were treated less than from the start like our current system? I ask the opposition what is your solution? To take one parent away from children? This is not acceptable. If not Senate Bill 257 then what is your solution to all of these problems?

In conclusion, I think back on the verse that I based my paper on for my college professor, Proverbs 22:6, "Train up a child in the way he should go and when he is old he will not depart from it." I ask you today, to give me an equal chance to "train up my children". Please pass Senate Bill 257 for not only the sake of my children, but for all children in Kansas.

Respectfully Submitted,

William A. Mitchell