

Testimony of Ron Holm, Kansas City, Kansas

A proponent of:

2018 Senate Bill 257

Senate Judiciary Committee

January 30<sup>th</sup> 2018

Dear Chairman Wilborn and Members of the Committee,

This testimony is submitted as written testimony. I will be present and available for oral testimony or to answer any specific questions as is deemed appropriate, necessary, and time allows.

The foundation of my strong support for SB257 and advocacy for shared parenting is a child's right to a meaningful relationship with each of their parents. Children should not only have the right to love both parents, but to equally receive love from both parents.

I am self-employed with my largest source of income coming from providing seasonal Christmas Lighting installation services. With the support of the mother of my children I enjoyed the incredible opportunity to be a stay at home father for many years. I deeply enjoyed my time caring for our infant twins and watching them grow and learn.

In June of 2015, after 12 years of marriage, my spouse filed for and was granted an ex-parte "temporary" parenting plan. She was granted what attorneys and Judges from the area seem to call the "Wyandotte County Standard Guidelines" parenting plan. I have been unable to find this plan published for public review but it, none the less, seems to exist. It is the common, bad practice, every other weekend and Wednesday evening plan which is failing our state and nation. It was ordered upon request without any testimony, and in fact, in my particular case no chance for testimony was even offered to me, with the exception of a Child Support hearing, on matters of child custody until January of 2017 this was set for one day and thus even then I was not afford the opportunity to testify. This delay occurred despite multiple requests for just modification to the parenting plan. In the essentially two years it took to bring the case near, but not fully to trial a new "status quo" had been established and subsequently offered as reasons why it should continue.

Upon a divorce action all parents separating in Wyandotte County, KS, are required to attend the "S.A.D." or Sensible Approach to Divorce class. The course is overseen and managed by Domestic Court Services and the Court Trustee's office. I attended the class in July of 2015. In this course the Court Trustee made a STRONG point to discourage parents from attempting any type of shared or 50/50 parenting plan multiple times during the course. It is an opinion which I encountered many times including during the later ordered "FFOF" (Focus on Families First) Class. It defies logic to try and teach parents to co-parent while at the same time the "Standard" plan is what they are going to default to in the courtroom. The potential fear of losing so much of the time to have a relationship with their children absolutely strikes fear into the hearts of many parents and encourages irrational and harmful

behavior and discourages a cooperative parenting situation by making it clear that even with two fit parents one is going to be the primary parent and the other will have, often, less than 52 overnights a year to bond with their own flesh and blood. It redefines parenting roles into something that simply are not needed or healthy.

Parents are essentially being guided not to share parenting time cooperatively, but to litigate establishing a primary parent based on a "standard guideline" and simply "work it out" from there. This type of minimizing standardization, as I and so many others have experienced, does not serve the children nor does it give a presumed or self-appointed primary parent motivation to cooperate with the other equally important parent. Vital parent-child relationships are not currently protected in this process and horrible behavior is all too often rewarded with greater tools for further control and abuse of a parent simply and deeply longing for a sustainable relationship with their children. As a father deeply hurt by this process whose own current "parenting agreement" filed with the court bears his tear stains after being told by the Judge I should agree to it or it was going to get worse, I can assure you one of the most powerful and painful weapons parents wield with disregard for whom they are hurting the most is the children.

The common use of a "Guideline Standard Plan" with restricted parenting time without a doubt caused my children's mother to think she needed to secure the role as primary parent by legal tactic as it became to the mother a high stakes winner takes all game. Without a doubt her identity and self-worth would suffer if she perceived "lost" custody. My very involved role prior to the separation meant she needed to shift the narrative from me being someone she described often as a loving "Daddy" to false claims of abuse and complete fabrications about our lives. This unwarranted battle needlessly has brought a long, very sad pause to my relationship with my oldest daughter (whom I adopted in a step parent adoption after being falsely led to believe her biological father was abusive. My daughter's right to her biological father was terminated with false yet successful claims of abandonment after my former spouse blocked all access) and has taken an extraordinary effort to even maintain the "Standard" amount of time I am able to enjoy with my other 3 children. The stories of false and baseless accusations are truly terrible, too numerous, and far beyond the scope of what is appropriate to discuss in this testimony. It is noteworthy that I am only even able to enjoy this limited time with my children due to advice encouraging me to document every interaction with my former spouse in a volume that well exceeds 2000 pages of transcripts, photos, and information. I have spent tens of thousands of dollars as a fit parent and not been able to secure but just little more than "standard" parenting time.

Even as I was given the understanding by Judges and attorneys alike the court would not vary far, if at all, from "Standard Guidelines," I have never throughout the separation and ensuing litigation sought or considered offering any more than a near equal shared parenting plan in a variety of forms. We each have the schedule, time, and ability to make it work. With the exception of seeking to undermine and even terminate my relationships with my children, by all other measures she is a fit parent. Only willingness or requirement is lacking for our children to enjoy relationships with each of us substantially. The Judge in our case made it very clear he never orders shared parenting unless the parents agree, and are without conflict. It is a license for the primary parent to never agree to share parenting and to provoke conflict.

The primary parent in a common “standard” parenting plan in a County with such practices simply has little legal reason to functionally support the relationship with the other parent. This drives problems which perpetuate across generations as children of these situations most often lack a parental role model, and then as adults often wind up in a situation in which they lack the time with their children to even begin to fully develop parental skills or bonds. This is not because along the way they were not willing parents, but often only because of the outdated and harmful practices of the courts. I had a huge advantage over most parents in my situation given the large amount of quality time I was able to spend with my children prior to the divorce, but yet even I have experienced the complete loss of a living daughter due to pathogenic parenting. Parents who have never learned the skills or had a loving support network like my own are in a truly desperate and helpless situation. Our continued tolerance for these needless and baseless practiced restrictions on parenting time is quite literally breaking people. We cannot demand they not act broken without offering a solution.

We can simply solve this problem by turning the tide and supporting a child’s need to have both a father and a mother as an equal part of their lives. All of the research on this subject of shared parenting demonstrates across the board regardless of income level, conflict levels, age of the children, whether the parents entered the plan willingly among many other factors, that children from shared parenting arrangements outperform children from primary or sole parentings plans academically, emotionally and enjoy better relationships with BOTH parents. I pray that the passage of SB257 into law would encourage most parents to understand from the beginning of a separation the other fit parent also has a secure right to the care, custody and control of their children and would guide them to seek what is truly in the best interest of their children, an equal right to both parents, and thus create a situation which most often commands fit parents work together to maximize the amount of time the child spends with the other parent. Current practice guided by current law does not support co-parenting or demand parents who have found themselves incompatible to equally support the others relationship with the children and affords incredible opportunity for one parent to minimize the role of the other.

As often I am told, please let us not continue to console the “non-custodial” parents by telling them “the kids will eventually figure it out”. Let us save those children and that parent from so much needless pain and, frankly, abuse by guaranteeing a child suffering the tragedy of their parents separation will not, almost by default, also needlessly suffer having the time they spend with half of their family reduced to a minimal amount of time, and honor the God given right of every child to equal access of both parents.

For those reasons and many more I would ask this committee to vote in favor of SB257 and furthermore to continue active efforts to strengthen families with this type of legislation.

Respectfully submitted,

Ron Holm.