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Testimony in support of SB 157

Good morning. My name is Vicky Kaaz. Thank you for this opportunity to provide testimony regarding this very important issue and the need for change in existing child custody laws in Kansas. I am the parent of two children (a daughter and a son) who were raised in an intact family. Both of my children are single parents following divorce.

My professional career and volunteer activities have allowed me the privilege to serve and advocate for our most vulnerable populations. Each of those opportunities have also afforded me the opportunity to witness first hand, the the challenges that can be overcome when the best interest of children is a made a priority.

My earliest employment was as a middle school teacher. I was then the Vocational Director at a day Program for individuals with disabilities, followed by work as a Prevention Specialist and as the Executive Director of the United Way of Leavenworth County. Most recently, I was employed as the Community Relations/Prevention Services and Education Director of the Guidance Center, the CMHC serving Atchison, Jefferson and Leavenworth Counties. While at TGC, I also served as the interim program manager of their youth psychosocial program.

I am currently a County Commissioner for the 2nd District in Leavenworth County, where I continue to advocate for the safety, health and welfare of those I serve. I am also the Vice-Chair of the National Parents Organization - Kansas Chapter.

I would like for each of you, to take a moment to place yourself in the shoes of a child. One month ago, you looked forward to seeing both of your parents first thing in the morning. Both parents shared in the responsibility of making certain you were bathed, dressed and fed. Both comforted you when you were injured or frightened and both faces were the last thing you saw at the end of the day.

Without warning, those familiar feelings that let you know that all is right with the world have been taken from you, because mom and/or dad have decided they can no longer live together. A piece of paper, signed by a judge has changed the course of your life forever.

Under the current law, judges routinely continue the parenting time that was established at the time established in the original parenting plan filed. More often than not, translates to children seeing one of their parents every other weekend and for three additional hours each week. If both parents are fit, how is that in the best interest of a child?

Since this bill for shared parenting was introduced, much has been said about the unintended consequence that can arise out of shared parenting in Kansas. For example, concerns have been expressed that requiring equal or nearly equal parenting time will subject victims of domestic violence to additional trauma. Unfortunately, the same can be said for the current system and when used unfairly, can be even more traumatic.

Let me be clear about this, neither I nor the National Parents Organization believe that an

abusive parent should be allowed anything near equal access to their children. Domestic violence is listed as a factor in the law that judges can and should use in parenting time determination.

As part of the existing process, the individual who petitions the court for divorce is also the individual who submits the initial parenting plan. It is not uncommon for an abusive parent to be the 1st person to file for a divorce. That parent is the parent who will more likely than not maintain custody of the child(ren) until the case moves forward for the initial hearing. In such cases, the parent seeking residential custody is routinely given 70% to 80% of the parenting time.

This bill requires that the initial parenting plan assumes equal or nearly equal parenting time for children with both parents, until the matter is heard by a judge. Once all testimony has been heard and evidence is submitted, the final plan should strive to maximize the amount of time children spend with each their parents.

In my son's case, his children spent 3 months with a parent who was the abuser in their parent's relationship and without the parent who had ensured stability in their lives. In her initial filings, their mother had claimed domestic violence as the reason she was seeking divorce. Fortunately, he was able to prove those allegations false with photographs of the injuries he had sustained during their 10 year marriage and witness testimony. He was ultimately granted primary (80/20) custody of their children. He sought shared parenting during the proceedings, but the judge determined that was not in the best interest of the children. Even in light of what their mother has chosen to put them through, my son recognizes the importance of their relationship with their mom, and makes certain they can spend as much time as possible, beyond that ordered by the court, with their mom on holidays, long weekends and 50/50 time during the summer months. The children are not confused or traumatized as they move back and forth between their parents. It is part of their routine. They love both of their parents equally.

As you sit here today, you have the opportunity to make certain that children of divorce or separation are afforded the privilege of maintaining a relationship with each of their parents to the greatest extent possible, during a time in their lives when the adults in the room are more interested in winning than making certain that the bonds they have formed with both parents continue to grow, without any undue interference. Thank you for your thoughtful consideration.