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Written Testimony to the Kansas State Senate Judiciary Committee  
Kansas State Capital Building, Room 346-S

SUPPORT SB-157

Dear Members of the Senate Judiciary Committee,

Fortunately, in 2013 upon orders of the district court, our daughter as a four year old was allowed to live with BOTH her parents with equal or nearly equal time at both houses. My testimony presupposes that shared parenting is better for children and my support for this reform is based on my experience and observations having to fight within the current system for nine months so our daughter could have equal access to both parents. If SB-157 reforms were law in 2012, the temporary orders I received would likely not have been allowed as both parents desired and had been actively involved in co-parenting. However, those temporary orders, as in many cases, are composed for the benefit of its authors to use the power and authority of government to 'engineer' a single-parent childhood where the other parent, often the child's father is wanted for child support in exchange for several hours or days a month with children.

In the following ways, temporary orders were used in our daughters life to make shared parenting untenable so the only option for the court would be continuing a version of the temporary orders and result in the all too common single-parent childhood.

A) In the first week of temporary orders, my four hour "visitation" coincided with court required parenting class. Although its usefulness is defensible, and well-intended, I was also being taught my new role, separated from our child, although I had picked her up and arranged her care. What our daughter needed that week was me sitting beside her for some long hours to play and to help her adjust as the world she had known had changed.

B) As I came to recognize the disadvantages of not being the parent to file for divorce, I proposed to my then attorney to quickly move into mediation (required by district) to arrange more time with my daughter. After initially being opposed to quickly getting on with what the local law requires, he acquiesced and six weeks later began 4 months of domestic mediation reaching no agreement on custody or parenting time. Note- the district has since reformed the domestic mediation policy to preclude any advantage to parents using mediation to avoid compromise. The assumption is that the longer temporary orders give sole residential/physical custody to one parent during temporary orders, the less likely the return of child's right to be with both parents.

C) During this time, I met with our daughters pediatrician (until changed without my permission during temporary orders) and she, having noted that I had been to all appointments, commanded me to continue to fight hard for the right to be an active parent in our daughters life and offered to help. I also discussed this with a child psychiatrist and learned that happy childhoods and good outcomes for children of divorcing parents are most likely if they have several meaningful relationships with good, caring people, preferably both parents on a very regular basis. Also, during this time, women in particular, kept telling me how important fathers are for children and that I should undertake whatever is necessary to keep my parenting rights in our 'system'.

D) After the failure of mediation, the next step was agreeing on a case manager, and suddenly attorneys were now in a hurry after 6 months? The child custody and parenting time decisions had been

separated from the other matters to be resolved. Next, in the weeks before case management was set to begin, a "drama" was performed by what I will call "team single parent" for lack of a nicer term that would adequately convey the reality of the situation. After an exchange of "visitation" time in which we were meeting her mother at a gas station, the team arranged for (false) charges to be filed by their friend the County Attorney against the advice of law enforcement who interviewed us all. This was clearly, a last, desperate attempt to make it impossible to co-parent before case management was set to begin. I researched these tactics by those seeking full custody to find out this is textbook behavior and for the elected C.A. and others involved, this was a low risk, high reward game. Unfortunately, these 2012 temporary orders coincided with a judicial opening in the district, and because of the way appointments are made for the first term in this locale, it appears that the "team" was leveraging (associated individuals) career ambitions with actions to help create a "single-parent" outcome.

E) A Case Manager was agreed on from Wichita, outside of our worlds and social circles. She was professional, quick (two meetings), inexpensive, fair and incorruptible in my opinion. FINALLY, a neutral party working in our daughters best interest only, and created an agreement that has been used to successfully co-parent to the present despite everything. During the process to formalize the case management agreement and decide the school in court in 2013, I was told five minutes before court that they (the 'team'?) had decided to drop charges and cancel trial against me in exchange for their choice of elementary school. The C.A. waited to formally enter that into the record apparently in an attempt to hide his involvement from scrutiny.

F) In 2018, as families were separated at the southern US border with Mexico because of not having a visa to enter, I watched this unfold from the perspective of being separated from my daughter due to temporary orders that I don't believe were in my daughters best interest. I realize they were crafted in the interest of its authors combined with a desire of Kansas and the court to minimize conflict for children unfortunately caught up in divorce. However, just as the Federal government reversed course and admitted errors separating families without visas in 2018, I believe that when Kansas allows temporary parenting orders to benefit the filing parents interests, it discourages shared parenting by encouraging custody and parenting time litigation and worse, which by nature can make it even more difficult to co-parent, thus using the power of Kansas law to unintentionally promote single-parent childhoods.

I believe that these problems have a political solution: I believe that in most cases, BOTH parents, from the filing of divorce should be equally valued for children's future and SB-157 would be a clear instruction to everyone involved that Kansas values children, families and parenthood. The current law benefits those who file for divorce first and desire control of custody and parenting time. Volumes of research indicate THAT is not a best outcome for most children. Kansas family law should value childhood and protect the most important relationships for children which are hopefully with two caring parents.

Respectfully,  
Merlyn A. Entz