Jason Nickerson
4-30-2019

SB 318-2

Dear, Chair Jennifer Williamson, Vice-Chair Chris Gorsek, Sherrie Sprenger, and committee members.

Our current family court system is need of great repair. When our family courts try to make parenting plans for children, they are all to often using a blue printed, cookie cutter, cut and paste model to do so, despite laws saying otherwise. It's incredibly wrong and horrible, yet its being done every day.

Before Family courts; An intact family unit, has 2 parents, both working, not working, or what ever arrangement they have. Both parents in theory play an important and active role in the child or children's lives. And decision making, in theory are made by both.

After Family courts; (The Blueprinted model) Mom; Receives Child Custody, Receives authority of decision making, Receives Child support, and Receives 80% of parenting time. Father; Receives an order of child support, Receives parenting time of 20%.

The Blueprinted model used today seems to fail the current written statutes and laws.
#1. ORS 107.101 (4) Grant court the widest discretion in developing a parenting plan
-Why is this even stated and published when the courts seem to over whelming default to the Blueprinted model. (NO discretion is being used/ZERO DISCRETION)
#2 ORS 107.102 (4) (b) In developing a parenting plan under this subsection, the court may consider only the best interest of the child and the safety of the parties.
-Can you find anyone in the Family Legal System, willing to attach their name to this idea, that this blueprinted model is in the best interest of the children?
#3 ORS 25.275 (2) (a) The child is entitled to benefit from the income of both parents to the same extent that the child would have benefited had the family unit remained intact.
-So under the idea of finances, the child should have funding from both parents to the extent as if the family remained together. But a child shouldn't have access to both parents as if the family unit remained intact? WHAT this is crazy, if this is law, then why isn't the parent/child contact interpreted in the same manner, but instead the blueprinted model is used all too often.
#4 ORS 107.105 (b) ……..The court shall develop the parenting plan in best interest of the child, ensuring the noncustodial parent Sufficient access to the child.
-This is the written Oregon Statutes, yet SUFFICIENT access is left to OPINION, and the opinions of sufficient are the judges (These are the very people who have come up with this Blueprinted model and use it daily, are they using it for simplicity or laziness, is there some crazy way they actually believe this is Best Interest).

The Blueprinted model fails the Constitution of Oregon:

Constitution of Oregon, Article I, Section 20. Equality of privileges and immunities of citizens. No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens.

-Yet our family court judges routinely sign judgements that do not identify equality, yes the laws are stated to be fair and equal, but the results and judgements of the family courts are anything but fair and or equal. If laws are truly applied in a fair and or equal manner, the judgements of the family court would reflect this, yet they don't.

My personal story/testimony summarized.

I learned a that I had a child that was a few years old. I went to the courts to try to gain access to my child, finally a custody evaluation took place. A Jennifer Price from the Multnomah county court house, published a 35 page custody evaluation, this large packet of papers contained lots on the mothers history. From multiple substance abuses (meth to pill addiction), to having the state remove children from her custodial care (lets just say more than once), lists of court cases, mother refusing access to the child-both visits/communication, and list goes on and on. There was one thing about this document, there wasn't a sentence about fathers negativity or extreme life history, nothing.

So my conclusion is:
It's best interest for a child to live, in clean and sober housing than to live with a parent who has a permanent house/residency.
It's best interest for a child to live, attending a mother's NA meetings (Narcotics Anonymous) than it is to be with a parent who has NO history of substance abuse.
It's best interest for a child to live, with a parent that the state of Oregon has removed children from there care on multiple occasions, versus a parent who's never been in such a position.
It's best interest for a child to live, under state subsidies than to live with a parent that has the resources to care for a child. (I hope the tax payer agree with that)
It's best interest for a child to live, with the high conflict parent.
It's best interest for a child to live, with a parent who's been a nuisance to society than it is be with a parent that been nothing but a productive member of society.
And I could continue this list too…..

And yet, Multnomah county court says I can be, an every other weekend father, the typical blue printed, cookie cutter model was used, and the court decided that I and only I would do all of the transportation for parenting time (I drive over 1,700 a month for parenting time). February of 2018!!!

My personal take a ways from this, #1 Never have adult activities with a stripper, #2 The family court system is desperately, BROKEN.

Our Family court system needs real help.

Please pass SB-318.

If this is passed, hopefully the family courts will make parenting plans that reflect children have two parents and the relationship a child has with both parents is equally important.

Sincerely,
Jason Nickerson