

## TESTIMONY IN SUPPORT OF HB 2948

Hello my name is Kayce Rasch. I am here to testify on behalf of and in support of HB 2948 and the attempt to amend the currently unfair joint custody law in Oregon. My family and I have been negatively affected by the current joint custody law in Oregon as written. In my custody case for my daughter, I was willing to agree to joint custody but my ex would not agree. We went through an evaluation in which case the evaluator recommended joint legal custody and a 50/50 parenting plan. My daughter was only 18 months old and my ex paid for the evaluation. The Judge asked that we come to an agreement because he was not able to grant joint custody unless we both agreed under Oregon law. My ex refused to agree and when the evaluator was pressed to pick one of us, she said "I guess I would pick (dad) because he seemed more organized." This was not the case, or factual evidence, rather basically a coin toss. And with that coin toss, I lost the right to make decisions on behalf of and in the best interest of my daughter. Not because I was an unfit mother, or because anything I had actually done. This was literally all it took for my say in my child's upbringing to be taken away from me. I did not and have not done anything wrong.

This one decision has negatively impacted my daughter tremendously. She was diagnosed with sensory processing disorder. This has not been addressed for years and it is only getting worse. She has also suffers from constipation since she was 2 and has been on laxatives for 5 years. The sensory issues have been ignored and getting to the root cause of her constipation has also been ignored. I am not even able to make a follow up appointment with a GI specialist or any appointment on behalf of my own daughter for that matter. Because of this, nothing has been resolved, creating unnecessary issues for my daughter. Her father does not listen to my concerns or my daughters concerns. In fact he does the opposite of what I ask most of the time. He tells everyone that I am not the custodial parent and not to speak with me, but him. This gives people jaded perceptions of me including her pediatrician and teachers that I am not of sound mind and that's why I do not have custody.

I have been nothing but loving and nurturing to my daughter. If you were able to speak with her she would tell you herself.

This joint custody law needs to be changed. Giving just one parent all the say when both are equally involved and spend the same amount of time with the child isn't best. In fact, it creates more issues. It gives the opportunity for one parent to make decisions in spite of the other parent regardless of what is best for the child. The current law alienates the non-custodial parent and takes away the non-custodial parent's ability to be a part of important decision making regarding their own child's upbringing through no fault of the non-custodial parent. Both Washington and California presume joint custody to be in the best interest of the child and only if one parent is deemed unfit, is sole custody granted to the other parent. That makes sense. Oregon's law as written does not and deprives parents of their input in the life of their own child, often times for no reason at all. I know I'm not alone in this situation and HB 2948 goes a long way to address this injustice and give the courts the ability to decide what is best for the child. That is all any good parent would want.

Please pass HB 2948. Thank you for your time and for listening to my story.

Kayce Rasch