

Submitter: John Lundeen

On Behalf Of:

Committee: House Committee On Judiciary

Measure, Appointment or Topic: HB3095

Having practiced family law in the tri-county area for 35+ years, I believe that creating a rebuttable presumption that equal parenting time is appropriate is not something that should be legislated. Truly good parents know that equal time may be appropriate. Better parents know that taking a sharp knife and divvying things up 50/50 doesn't take into account the varying needs of children and their parents, and those parents do just as the best ones did when they were married, and talk about their children and their needs.

I believe that creating that rebuttable presumption of equal parenting time will be used by some parents, often dads, who hadn't taken the time and interest in their children until divorce. I see a pounding of fists on the table in negotiation, mediation, and sometimes the courtroom, to attain that goal. Everyone believed that FAPA protection orders would protect fragile wives and mothers from their abusive partner. Too frequently we see the abusive partner seek and obtain those protective orders, and then creating situations when they can claim a violation by the frequently less assertive spouse.