

Speech to City Council on the Importance of 50/50 Parenting Time Legislation

esteemed Representatives of the Oregon Judiciary

My name is Morgan Dominguez, I advocate for Foster children and I stand before you today to advocate for a long-overdue change in Oregon's family court system: the rebuttable presumption of 50/50 shared parenting time. For far too long, our outdated legal framework has forced loving, capable parents to fight for time with their children while maintaining a default 80/20 custody arrangement—a system that is not only unfair but also damaging to the emotional and psychological well-being of our children.

We must ask ourselves: Why does the law automatically assume that one parent should have less time with their child than the other?

The System Is Outdated and Inherently Flawed

The standard parenting plan currently used in Oregon is fundamentally broken and does not reflect the diverse families of today.

1. Gendered Language in Parenting Plans

The default court-issued parenting plans still refer to “mother” and “father” rather than “Parent 1” and “Parent 2,” excluding same-sex couples and other non-traditional family structures.

In a time when society has embraced marriage equality and diverse parenting structures, our court system must do the same.

2. One-Size-Fits-All Frameworks Do Not Work

In counties like Crook and Jefferson, the courts routinely issue the same 80/20 parenting plan in case after case, without considering the unique circumstances of each family.

I personally sat through five consecutive custody hearings in Crook County and watched as every single family was handed the exact same parenting plan—regardless of the family’s situation, history, or the child’s best interests.

When I raised this issue with Representative Wallen, I was told that perhaps this was due to a bad judge who needs to be challenged—but while we wait for reforms, children are being emotionally harmed, losing valuable time with one of their parents.

3. Cultural and Religious Exclusion in Holiday Scheduling

The standard parenting plan prioritizes mainstream Christian holidays, such as Christmas and Easter, as primary times for parenting time division.

But what about families who do not celebrate these holidays? What about Jewish, Muslim, Hindu, or atheist families? Why are only certain traditions accounted for?

This one-size-fits-all approach disregards cultural diversity and fails to recognize that important moments in a child’s life are not limited to predetermined holidays.

Children Need BOTH Parents—The Science Supports It

The research is overwhelmingly clear: Children thrive when they have strong relationships with both parents. Since 1999—when Oregon’s custody laws were last updated—scientific advancements have completely changed what we know about child development and mental health.

Children in shared parenting arrangements (equal time with both parents) have:

Better academic performance (Bergström et al., 2018)

Lower rates of anxiety and depression (Nielsen, 2017)

Higher self-esteem and stronger social relationships (Fabricius et al., 2012)

Lower risk of substance abuse and delinquency (Pruett et al., 2012)

Meanwhile, children who primarily grow up in single-parent households are statistically more likely to experience:

Higher dropout rates

Increased behavioral problems

Greater likelihood of poverty and financial hardship

If we can prove that shared parenting leads to better life outcomes, why are we not making it the standard?

Why Do We Make Parents Fight for What Should Be Fair?

Family law is one of the only areas in which people have to fight for what should be a basic right: time with their children.

In divorce proceedings, assets are split 50/50 by default—because it's fair.

But when it comes to children, one parent is automatically given more time and control, while the other has to prove their worth just to see their own child.

Why is fairness applied to money, but not to children?

Let me be clear: I understand that there are unfit parents out there. My parents were together my entire childhood but I personally grew up with an unfit father, and I know what it means to have a harmful parental influence. But should we build an entire system around the exceptions rather than the norm?

Children do not get perfect parents, but they deserve both parents if both are willing and capable. The courts should start with the presumption that both parents are equal, and only deviate from that if evidence proves otherwise.

What We Can Learn From Other States

22 states have already made 50/50 shared parenting the default standard—and the results have been overwhelmingly positive.

Kentucky (2018 Law Change)

93% of parents reported that the new law was fair and reduced conflict.

Family court cases and custody disputes declined significantly, as parents were no longer forced into unnecessary litigation.

Children reported feeling more secure, stable, and supported in their relationships with both parents.

Arizona (2013 Law Change)

Parental conflict during divorce proceedings dropped by nearly 50%.

Children in shared parenting arrangements reported higher satisfaction with their family life.

Alaska, Nevada, and Others

Shared parenting laws have reduced litigation costs, improved co-parenting cooperation, and—most importantly—improved children’s mental health outcomes.

We need to follow the science, follow the data, and follow the success of other states. It is time for Oregon to stop separating children from their parents unnecessarily.

Call to Action: Oregon Must Act Now

Our children cannot wait another 25 years for Oregon to update its custody laws. We know more now than we did in 1999, and we cannot ignore what modern research has taught us.

This is not just about changing a law. It's about changing the future of our children.

According to Oregon's youth are suffering from record levels of anxiety, depression, and instability. We must address this at its root: By ensuring children grow up with equal access to both loving parents.

I urge you to support this bill and make Oregon a leader in child-first family law reform.

Research indicates that children benefit significantly from the active involvement of both parents in their lives. Studies have shown that higher levels of shared parenting are associated with fewer parental depression symptoms and lower levels of child emotional and conduct problems, particularly in young children.

Conversely, children raised in single-parent households face increased risks of adverse outcomes, including mental health challenges such as depression and anxiety. The absence of one parent can lead to emotional and psychological difficulties, underscoring the importance of both parents' involvement in a child's upbringing.

Implementing equal parenting time policies can help mitigate these risks by ensuring that children maintain strong relationships with both parents. This approach not only supports the mental health and well-being of children but also fosters a more balanced and supportive environment for parents, reducing stress and promoting healthier family dynamics.

It's Important to note that equal parenting time pertains to the division of time children spend with each parent and does not necessarily affect legal custody arrangements. Judges can still designate one parent as the custodial parent, responsible for making significant decisions regarding the child's welfare, while both parents share equitable

parenting time. This distinction allows for flexibility in addressing each family's unique circumstances while prioritizing the child's best interests.

In summary, promoting equal parenting time is a crucial step toward enhancing the mental health and overall well-being of children and parents alike. By allowing judges to assign custodial responsibilities appropriately, this approach balances the need for shared parenting time with the necessity of stable decision-making structures.

Thank you for your time and consideration.

References

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