

**TESTIMONY:** The Oregon House of Representatives, Judiciary Committee

**SUBJECT:** Enforcement of Equal Parenting Time.

Chairman Kropf, Vice-Chair Wallan, and Members of the House Judiciary Committee,

Thank you for the opportunity to testify today. I am here to propose an amendment to HB 3095—or separate legislation—to ensure the equal enforcement of court-ordered equal parenting time.

I speak from personal experience about the challenges fathers face in maintaining equal parenting time, even when it is court-ordered. I live in Bend, Oregon, and Chairman Kropf is familiar with my two-year struggle to exercise my court-ordered equal parenting time.

For four years, I had a parent coordinator appointed by the court to ensure there was no interference with my equal parenting time. Then, the courts eliminated parent coordinators in Deschutes County. Before stepping down, my parent coordinator submitted a detailed report warning the court that the mother would block my parenting time. That was in April 2023. As predicted, the following month, all my parenting time abruptly stopped. I immediately filed a motion to enforce parenting time under **ORS 107.434**, which requires the court to enforce parenting time within **45 days**. Nearly two years later, I **still** have not had any parenting time with my daughter.

I am the full custodial parent of my 15-year-old daughter, a role I have held since she was two. From the beginning, we had a **court-ordered equal parenting time plan**. Yet, for the past two years, I have had **no parenting time**. For the last nine months, I have had **no contact with my daughter—not even a phone call**.

This isn't happening because I am unfit. It is happening because some judges **refuse to enforce** court-ordered equal parenting plans. **They are issuing “no time for no reason” rulings**. Despite the court finding mother in contempt, I still cannot obtain any parenting time—let alone the equal parenting time the court originally ordered.

### **This Should Concern Every Legislator**

Oregon law is clear. **ORS 107.101(1)** states that it is **state policy** for parents acting in the best interest of their children to have continuous contact with them. Additionally, the **U.S. Supreme Court** has affirmed that parents have a **14th Amendment** right to maintain a relationship with their children.

Yet, despite these legal protections, my **motion for enforcement was denied after 15 months of no parenting time—without explanation**. When my attorney asked how a custodial father could be denied court-ordered equal parenting time **without justification**, the judge stated that she had the authority to do so and suggested that if I disagreed, **I should take it up with the legislature**.

So, here I am.

Recently, this happened again—this time with a different judge. Even after nearly **two years without parenting time**, the judge refused to sign the **show cause order**, preventing me from even having my case heard. **Again, no findings of fact or conclusions of law were provided.**

## **Parents Have a Right to Know**

Every parent has the right to know why a court is denying them their **court-ordered** parenting time. If a **criminal defendant** has a constitutional right to be informed of their **Miranda rights**, then a parent should have the fundamental right to receive a **clear legal explanation** when a court denies them access to their child.

For this reason, I propose an amendment to HB 3095, or separate legislation, that ensures every parent has the right to **court-ordered parenting time** and that if denied, a judge must provide **findings of fact and conclusions of law** explaining the decision.

## **No Conversation a Father Should Have to Have**

Many of those opposing this bill are **family law attorneys**. I understand they view this issue through the lens of their clients, but I ask them to consider what my case proves:

**How difficult it is for fathers—even full custodial fathers—to get equal parenting time, even when it is court-ordered.**

Someday, I will have to explain to my daughter why I did not see her for two years.

I will have to tell her that it wasn't because I didn't want to or because I did something wrong, but because the court simply **did not believe that, as her father, my time with her was important.**

That is a conversation no parent should ever have to have.

## **Changes Are Needed**

I appreciate Chairman Kropf's commitment to addressing parenting time issues in our family courts. I also want to thank Representative Lewis for sponsoring this bill so fathers like myself can share our experience with the family court system.

I urge this committee to take action and ensure that courts **end the practice of “no time for no reason” rulings** and require judges to provide **findings of fact and conclusions of law** when denying a parent their **court-ordered equal parenting time.**

**Thank you for your time and consideration. I welcome any questions the Committee may have.**

**Steve Bella.**

**Bend, Oregon.**