

March 22, 2024 | CON TESTIMONY OPPOSING SF2759 (HF3204) – FAMILY LAW BILL, Chapter 518

Minnesota Senate Judiciary and Public Safety Committee

From: Molly K Olson – Unpaid Concerned Citizen – Founder Center for Parental Responsibility

I am Molly K Olson. I live in Stillwater. I am founder of the Center for Parental Responsibility. An all-volunteer unpaid citizen education, research, and advocacy group. Our mission is to remove the obstacles that prevent both parents from being fully and equally involved in the lives of their children after divorce and separation. I am testifying against this bill.

I've been an unpaid volunteer working on all issues related to Chapter 518 for 25 years. My goal has been to work on improving all aspects of family law, and the family court process, to encourage cooperative shared parenting, reduce litigation & conflict, & more fully protect parents and children at a very vulnerable and hurting time in their life. But a time when, what results from family court, can change a child for a lifetime.

I've had 1-4 bills at the legislature every session for 25 years. Year after year I send legislators regular educational flyers on pink and green legal paper. I have been involved with 6 different collaborative work groups over the last 25 years. None of the proponents of this bill have equal experience with stakeholder collaboration from both sides during this time period. Despite my track record, and expertise on available social science research, and day-to-day understanding and involvement with real-life application of the law in individual cases, being an expert witness in court, and a mediator, I was avoided and not included in any discussions about this bill the last 4 years. I was also mischaracterized by at least one of the 3 proponents as unwilling to compromise on anything unless it's 50-50 parenting time as a starting place in law. This is a mischaracterization meant to discount my influence. While a presumption of equal shared parenting for fit parents with exceptions, is a critical piece of success for children, I have demonstrated collaboration by having a variety of bills with varying language that is something other than 50-50. The divorce lawyer lobby won't have it ... they are on the wrong side of history until one day they see the light and it's their idea. Other states have proven a rebuttable presumption of equal shared parenting works successfully, reduces conflict, and reduces domestic violence.

We know there has been an epidemic of fatherlessness since the 1960's which results in much damage to children and societal downfall.

While I have 7 pages of concerns and solutions regarding this bill, as one example, I'd like to draw your attention to line **8.13-8.14** in the bill. Constituents who understand what truly happens in family court will see your vote in favor of this as absurd new paint job on an old chevy ready to fall part, but sending the passengers off on a long road trip. There is important history to note about this section:

- **In 2006:** I was part of a collaborative effort when this was added into law to read, "*a minimum of 25% parenting time.*" Prior to that, the unwritten presumption was 14-17% parenting time for one parent, a mere 4 days a month for one of the parents. In 2006, the addition of "*a minimum of 25% parenting time*" was the token crumb parents were given. Still parents were not considered innocent until proven guilty or equal, and even the most involved loving parent still had to prove they were worthy of more time with their child. Shared parenting opponents told us to be happy with this baby step, and that it would be increased over time. In 18 years the presumptive 25% for one parent has never increased or changed.
- **In 2015:** The language was changed to *remove "a minimum"* and change it to "*at least*" 25% parenting time to one parent. Another meaningless effort. Then under the guise that "maybe judges will understand it's a floor not a ceiling." Well, that hasn't work so well.
- **Now in 2024,** 18 years later, the biggest change the divorce lobby will agree to someone's "grand idea" to add "*at least*" back in, so it reads now in this bill, "*a minimum of at least*" 25% parenting time. Seriously? We're supposed to see this as astounding progress towards shared parenting and encouraging co-parenting? Insulting. Parents are not stupid. They see through this charade.

This section just continues to just enshrine a policy of unwarranted court forced fatherlessness; or in the case of same sex partners, restricting one as the *less than* parent to the child. Despite judicial discretion all over the law and despite the U.S. Supreme Court and MN Supreme Court declaring that the parent-child relationship is a constitutionally protected fundamental right that requires clear and convincing evidence before the government can impede on that right. (see: U.S. Troxel v Granville and MN SooHoo v Johnson).

Parents who go through family court have lost confidence in the judiciary, and even the legislative process. They see that the divorce lawyer lobby has been given cart blanche to control the process of writing family law statutes, at the expense of parents and children.

We seek equality in everything else, why not parenting after divorce and separation for fit parents who are ready, willing and able to step-up-to-the-plate to share equally in the responsibility of raising their children? Families are hurting. Children are suffering. Children are weaponized in family court creating one of the biggest and most heart breaking and financially devastating processes in their lifetime. It doesn't have to be this way. Divorce lawyers promoted no-fault divorce. But it's just been traded for fault-based custody/parenting battles.

Although there are a few benign long overdue technical changes that do make sense:

- This bill was not a collaboration with all stakeholders as portrayed, only one *brand new to MN* citizen group (NPO) that's pro-shared parenting was involved. This organization is new to MN and doesn't know the history.
- This bill adds more broad, vague, unclear and subjective language that creates conflict and creates litigation, which creates a need for lawyers and more suffering for families going through family court. Yet this is being disguised as tremendously positive relief for parents. Not with this language. Parents get the crumbs while the divorce lawyers take the cake.
- But conveniently, the language is clear and strong to enforce attorney fees and encourage more court battles with more hearings.
- I have a 7 page document of problems with this bill and solutions, which if heard and responded to, would make this bill better and improve the lives of these suffering families going through family court, please take time to more fully understand what this will do.

Please VOTE NO or table this bill until it can be amended and improved and thought through more carefully.