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Good morning Mr. Chairman. I am a registered voting Republican, and I want to thank you for giving me, and my colleague Mr. Cook, the opportunity to speak on behalf of *House Bill 1723*. I will speak briefly and turn the remainder of my time to Mr. Cook, a nationally recognized authority on joint custody legislation.

The growing consensus among experts across multiple fields, including a 1997 report published by the U.S. Department of Education, National Center for Education Statistics, is children deprived of meaningful physical contact with their biological fathers are at significant risk in numerous ways, including, they are less likely to succeed in school, more likely to fail in school, more likely to have behavioral disorders, more likely to take drugs, and more likely to commit suicide. Nevertheless, in the vast majority of custody decisions in Pennsylvania, biological fathers are allowed to be with their children only four days, a month.

Mr. Veon's, presumptive joint custody bill is intended not only to help fathers remain involved in their children's lives, but also to take children out of the unnecessary and abusive cross fire that now occurs between divorcing parents, who are *both* terrified of losing their children to the other parent.

Despite the heroic work of even the best judges, given current custody law, competent loving parents who separate, are given an unintended, perverse incentive to compete for primary custody through wasteful litigation. In the process, *both* parents harm each other and their children.

In actual practice, if not statute, Pennsylvania custody law currently presumes primary custody by one parent, typically the mother, is in the best interest of children. This provides the unintended, perverse incentive for fearful parents to litigate for primary custody. The parent, who loses, is by and large, physically ejected from the children's lives.

In addition to eliminating one parent from the children's lives, another unintended effect of a legal environment unable to extricate itself from a pattern of

primary custody awards, is that a parent who hopes to win primary custody must use the law to damage the other parent, in order to demonstrate superior parental competence. In the process, both parents, as they attempt to demonstrate the other parent's incompetence, will damage their children. No child is helped by the intentional denigration of either of their parents, yet, current custody law virtually guarantees mutual parental denigration and bitterness.

Most important, however, is that judges have little control to remedy these tragic unintended consequences of the current, though tacit, 'primary custody doctrine'. Judges are bound by a history of case law from a by gone era. Judges are bound by legal precedents set when employment patterns were radically different from ours. And a tragic legal environment over which judges have little control, a legal environment where children and parents are unnecessarily harmed by unintended, perverse incentives -- provided by the legal environment itself -- is a legal environment that demands a legislative solution.

The honorable Mr. Veon's *House Bill 1723*, will begin to take the terror of losing one's children out of the divorce process. It will protect both children and parents of divorcing and separating families. And it will give judges a far better tool for making good custody decisions than they presently have. *House Bill 1723* will help change the legal environment that currently creates perverse incentives for parents to engage in litigation both damaging to their children and utterly wasteful of our valuable judicial resources.

Thank you. I now turn the remainder of my time to Mr. Cook.