

TESTIMONY IN SUPPORT OF EQUAL SHARED PARENTING 50/50 PROPOSED PA HB 1397

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December 5, 2019

To the Honorable Members of the House Judiciary subcommittee on Family Law in Pennsylvania:

Representative Sheryl Delozier, Majority Chair
Representative Tina Davis, Minority Chair
Representative Jerry Knowles
Representative Jonathan Hershey
Representative Paul Schemel
Representative Summer Lee

Please accept this amended testimony for the record, of proposed PA HB 1397.

My name is Shelley Ochterski. I am an alienated mother of two children. I am a constituent of Erie County, PA.

I fully support Representative Sue Helm's proposed PA HB 1397, pertaining to a presumptive 50/50 custody rebuttal, in absence of proven abuse, criminal history or domestic violence and I ask that you do the same.

I am in favor of 50/50 Equality for all parents. Children have the undeniable right to two parents after all each child is a part of both parents and sees themselves as such. As each child grows into an adult and becomes a parent themselves one day, its important that SHARED CUSTODY becomes the "norm" in our society, absent of abuse, criminal record or domestic violence.

I would never want another child to be severed from a loving, fit parent, as my two children have been. Because of poor attorney advice and never wanting the children to have to appear in court and "choose" the courts and my ex-husband have severed ties to a once joyful and healthy parent relationship. Court orders written by the GAL and the Judge have not been

upheld or enforced the Court. I would never want another child to experience what my two children have, as they have been used to hurt me and placed in the center of litigation when nothing else got to me. Litigation which continues today. I am also ordered to pay substantial child support and carry all the children's insurance. For a child I don't see, and my ex-husband refuses to tell me anything about his activities and life... is this in the child's best interest?

What I experienced with in the family court was an extenuation of domestic violence. The courts allowed not only myself, but my children, to suffer and the continued abuse; legal, financial, emotional, mental, physical. Countless court orders were never upheld or enforced, most recently the Judge ordered both parents to therapy to work on communication and reunification. After months of attending and getting nowhere the Doctor wrote a letter to the court recommending specialized reunification. The Judge asked my attorney to submit an unfiled motion and to send it to the opposing attorney as well. I believe this to be unorthodox and a violation. The Judge then files that we have taken too long to file an unfiled motion. We have filed another motion, but the Judge has not responded. I ask, what can be done? Absolutely, nothing, the family court and Judges are not accountable.

Had the court immediately awarded 50/50 as in the proposed, our family would not be in this position today. This will have lifelong implications for all of us.

Pennsylvania is a jurisdiction that recognizes Parental Alienation. Please refer to following case: WCF v. MG, 115 A. 3d 323 - Pa: Superior Court 2015

Parental alienation describes a process through which a child becomes estranged from a parent as the result of the psychological manipulation of another parent. The child's estrangement may manifest itself as fear, disrespect or hostility toward the parent, and may extend to additional relatives or parties. The child's estrangement is disproportionate to any acts or conduct attributable to the alienated parent. Parental alienation can occur in any family unit but is believed to occur most often within the context of family separation, particularly when legal proceedings are involved, although the participation of professionals such as lawyers, judges and psychologists may also contribute to conflict.

"Induced parental alienation is a specific **form of psychological child abuse**, which is listed in DSM-5, the current Diagnostic and Statistical Manual of the American Psychiatric Association (APA), under diagnostic code V 995.51 "**child psychological abuse**". Untreated induced parental alienation can lead to long-term traumatic psychological and physical effects in the children concerned. This fact is still not given enough attention in family court cases" My ex has gotten our son's psychiatrist to write the court a letter stating a child should not be forced to see mother. However, the doctor will not include the above diagnosis for my son, but he clearly skirts the issue. He even states he know absolutely nothing about parental alienation.

As of the date of the upcoming hearing, Dec 9, 2019, I have not seen or spoken with my now 16-year-old son in 4 years, not even an email or text.

I do see my now 20-year-old daughter when she is able to sneak to see me. She is tracked by her father and gets in trouble if he finds out.

I HAVE A SHARED CUSTODY ORDER. My son attends school in the district where I live not where he lives. TIME CAN NEVER BE MADE UP! All important milestones have passed. All holidays and birthdays have past. Imagine not even being able to send any mail or packages, call, text or even email your child, as the co parent blocks all contact, despite telling the courts otherwise. This is what has been done to my family, as the courts have allowed this situation to spiral out of control. Shared 50/50 would not apply to my case or any other "alienated" parent unless there was strict accountability and punishment on the abuser, ultimately, a reversal of custody, after repeated violations of existing order(s). Implementing strict, to the letter guidelines; that once the orders are violated, I am suggesting a loss of custodial time and mandated therapy for the parent who chooses to violate that said order. This would be in the "best interest" of a child, as this continued chaos and manipulation creates unnecessarily stress and anxiety on child(ren) involved. My daughter has been diagnosed with epilepsy brought on by stress and my son with severe anxiety and social anxiety.

Shared 50/50 would be ideal for 2 fit loving parents, absent of abuse, neglect or criminal convictions.

I am a kindergarten teacher and a foster parent. The parents of my foster children are afforded time with their "removed" children and I have been treated as a criminal. I hold a current criminal record check, abuse history and FBI clearance, according to **PA Rule 1915.3-2**, it would prove, without a doubt, I have a clean record.