

Good Morning

My name is Stephen Meehan, I am a former House Judiciary Legislative Analyst, and an "erased Non-Custodial" parent of four daughters, and a Volunteer Chairman for the Pennsylvania Affiliate of the National Parents Organization. I am not here to discuss my personal case, but am here to speak on behalf of families seeking Child Custody Reforms, on "the other side of the Podiums" on an issue I consider one of the most important legislative initiatives I have ever seen in our Capitol...regarding our sacred ability to parent our children.

Not so long ago, here in America, the LAW established "slaves", and this was "normal", and their children could be sold like chattel. They were sold, and managed at County Court Houses.

Not too long ago, the LAW established a class of citizens who could not vote, known as women, and they were legally disabled in domestic laws regarding child custody and property, and this was "normal", and they were managed by County Court Houses.

Today, our Court Houses establish "non-custodial" parents, who have committed no crime, and they don't receive the same legal protections that we afford to those who are accused of common theft, simply because they are not domestically compatible adults. They are in fact, ordered not to be present and parent their children for a majority of a year, and assigned a debt for that absence. That is the standard result we have been conditioned to accept as "normal". "Parent Custody Competitions" have become the "best practices" to help families of Divorce?!

Today, Pennsylvania has more than 48,000 new child custody cases filed, into a pipeline of cases, that average 2 years in that pipeline, managed on a "case by case" basis, with a nebulous concept of "children's best interests". This "interest" is interpreted in as many different ways as there are Judges. The average cost is \$250 per hour for lawyers, not including other assigned industry "experts" that advise these very busy Courts.

Today, the result of our County Non-Custodial Court "factories" produce 48,000 in 2016, as last reported by our Courts. Legally Disabled Parents, with 200,000 immediately impacted family members including the children, grandparents, next spouses, and siblings of each of these parents. That is at least 250,000 disgruntled citizens each year. We are a very large constituency.

We, the Non-Married Parents and their grown children, grandparents, next spouses, siblings, and extended families and industry professionals, who have been through this process, have educated ourselves and organized for Family Law Reform. We are a patchwork of thousands of Reform groups on-line, producing films like "Divorce Corp" and "Erased", "Ms. Doubtfire", and the current media attention to separations of children from parents at the border. But our local County Court houses Order these separations in the thousands by the day across the country of its own law abiding citizens.

We believe that parents need help in "de-coupling" and transitioning to two equal homes, as opposed to a legal contest for dominance in legal status.

We believe, that when the LAW treats parenting status, the same as it treats all other marital assets to be split equally, conflict will be reduced, litigation costs will be reduced, violence would be reduced, but the children would gain children by receiving the correct message that both parents matter.

We believe the following "top ten", most common problems with Family Law would be reduced or eliminated if "Equality" was the norm, and "primary custody" was the exception.

Problems:

1. Ordered Parental Absence of law-abiding parents
2. Legal implications of being labeled a "non-custodial parent" being assigned debt, suffering financial penalties in tax status, credit status, professional licensure, and risk of loss of liberty upon default.
3. A system that provides a ruthless collection service free of charge to the other parent, but continued litigation for physical custody enforcement for the other assigned by the same document.
4. A logical result of parental marginalization and alienation from the child, enabling one parent to "erase" the other, and their entire extended family.
5. Court validation that ONE "primary parent" matters more, thus creating and perpetuating a myth that citizens must adapt to, that is clearly contrary to our basic Constitutional concepts of "equality" and "liberty" to raise one's child.
6. Encourages competition where there should be none, rather than require and reward sharing.
7. Provides financial incentive to Order the absence/restrict one parents' presence in the form of support, tax status, and federal matching funds to the Courts and local/State governments via Title IV, and a \$50 Billion industry of dependent lawyers and court advisors.
8. Causes unnecessary childhood trauma, and all its vast and long term effects on the children, families, and society.
9. Provides a lower standard of evidence than is provided to common accused criminals, reverses burdens of proof.

10. Gives Judiciary too broad discretion without sufficient findings and rationale upon which to challenge, and results in lack of "certainty" that has recently been afforded to Grand Parents in Pennsylvania.

We know, that we are opposed by a \$50 Billion-Dollar Industry, dependent on conflict resolution and the money from parents, families, and Federal Matching Funds from Title IV. They are very happy with their performance, and will tell you so today, although they have paid lobbyists who walk the halls year round, and whose opinions and money are received daily in the Capitol. Meanwhile, we continue to hear reports of horrific violence resulting during child custody conflicts in our local news, where formerly law-abiding parents become homicidal because of laws that routinely marginalize one parent. We continue to watch the results of Child Hood Trauma caused by the loss of a "non-custodial parent and their family", in the ripple effects of teen pregnancy, poor academic and professional performance, addiction, incarceration, depression, etc. We continue to see law-abiding parents liquidate their assets to defend a legal status that is already theirs, created by the parties consent in procreation. We continue to amass cases of "parent-child alienation", "move-aways", "abuse and neglect allegations".

This bill is a compromise, and is not the total solution. But it is a much needed step forward to reduce conflict, to reset the compass towards a more ethical true north, reduce litigation and false allegations, and require Courts to justify what should be an abnormal result in legally creating a "non-custodial" parent.

This Bill does nothing to prevent parents pursuing existing Domestic Violence Claims, nor does it provide penalties for false accusations in child custody cases, and has no effect on cases of "rape".

This Bill does not address penalties for violations of Ordered parenting time known as physical custody interference or contempt.

This Bill does not reduce current child support calculations or enforcement thereof.

This Bill does not encumber Lawyers from profiting by the drafting of Marital Contracts, which would better serve young people than the imputed terms of Title 23, of which ~~most lawyers haven't read in entirety~~. So they would be more informed and involved in establishing an actual marital agreement, and reduce divorce litigation.

We ask this committee to be on the right side of history, defending our most sacred relationships and bonds, between children, parents, and extended families. We believe this Bill should be addressed by the Full Judiciary Committee, in both the House and Senate, and not be pulled into a special interest spider hole. We should hear from retired Judges, Psych Professionals who are not incentivized, retired lawyers who are not incentivized, grown children of divorce.

## 2019 NPO Shared Parenting Report Card

National Parents Organization conducted a review of the child custody laws of all 50 states and graded them on the degree to which these laws promote shared parenting, the arrangement for separated parenting that research shows is in children's best interest. Pennsylvania received a 'D' for its child custody statutes.

(Visit [sharedparenting.org](http://sharedparenting.org).)



## State Details

State	Grade	Positives	Negatives
<b>Pennsylvania</b> <u>23 PA. C. S. A. §5327</u>	<b>D</b>	<ul style="list-style-type: none"> <li>• Pennsylvania statutes list a “friendly parent” factor as the first factor in determining the best interest of a child with respect to a custody determination. Pennsylvania courts are required to consider “Which party is more likely to encourage and permit frequent and continuing contact between the child and another party.” <u>23 PA. C. S. A. §5327</u></li> </ul>	<ul style="list-style-type: none"> <li>• Pennsylvania has no statutory preference for, or presumption of, shared parenting (joint legal custody and shared physical custody) for temporary or final orders.</li> <li>• Pennsylvania statutes do not explicitly provide for shared parenting during temporary orders.</li> <li>• Pennsylvania statute does not contain any policy statement or other language encouraging shared parenting.</li> </ul>

# How Does Pennsylvania Compare to Other States?

Eleven states received shared parenting grades worse than Pennsylvania's 'D', 36 states and the District of Columbia received higher grades, and 3 states tied with Pennsylvania. Since the publication of the 2014 NPO Shared Parenting Report Card, Pennsylvania has enacted no new legislation promoting shared parenting.

Summary: State Grades	
Grade	2019
A	2
B	7
C	26
D	14
F	2
Average	C-

## How Can Pennsylvania Improve?

**Recommendation #1 - Temporary Orders:** Pennsylvania should enact a statute creating a rebuttable presumption of equal shared parenting during temporary orders. This is a period when the court typically does not have sufficient evidence to warrant sidelining one parent. Furthermore, the temporary orders period can extend for a significant period of time—a period in which patterns of post-separation parenting are set. Finally, equal parenting during temporary orders allows the court to determine the desirability of equal shared parenting in final orders. Kentucky's 2017 House Bill 492 is a model for such legislation.

**Recommendation #2 - Final Orders:** Pennsylvania should enact a statute creating a rebuttable presumption of equal shared parenting in final orders. While courts should be deferential to parenting plans freely agreed to by both parents, equal shared parenting should be the starting point for post-separation parenting when parents do not agree. Equal shared parenting is clearly not appropriate in all cases. The presumption must be rebutted by a showing of a pattern of abuse or that such an arrangement would be harmful to the child.

## About NPO

National Parents Organization seeks to promote children's wellbeing by making equal shared parenting the norm when parents are living apart. This is the separated parenting arrangement that research shows is typically in children's best interest.

Join National Parents Organization to help achieve its goals.

For more information, visit [nationalparentsorganization.org](http://nationalparentsorganization.org)

Email: [joinus@nationalparentsorganization.org](mailto:joinus@nationalparentsorganization.org)



**HB 528**  
House vote 81-2  
Senate vote 38-0

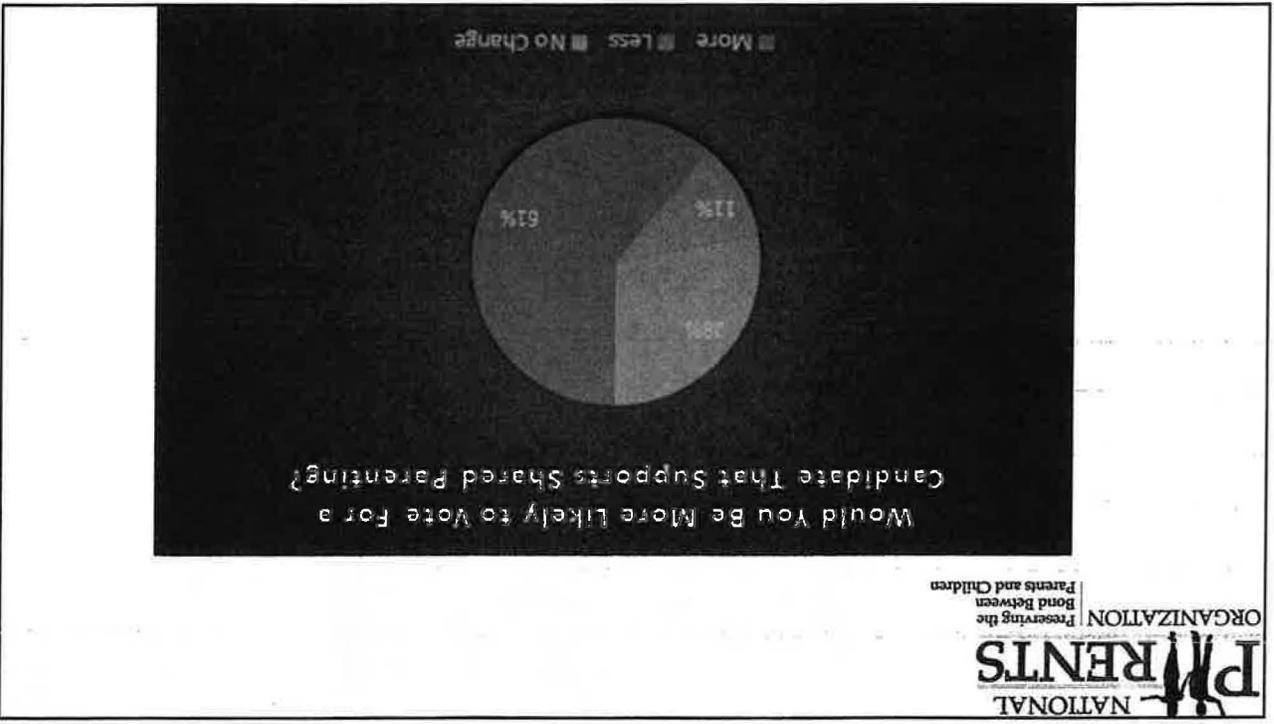
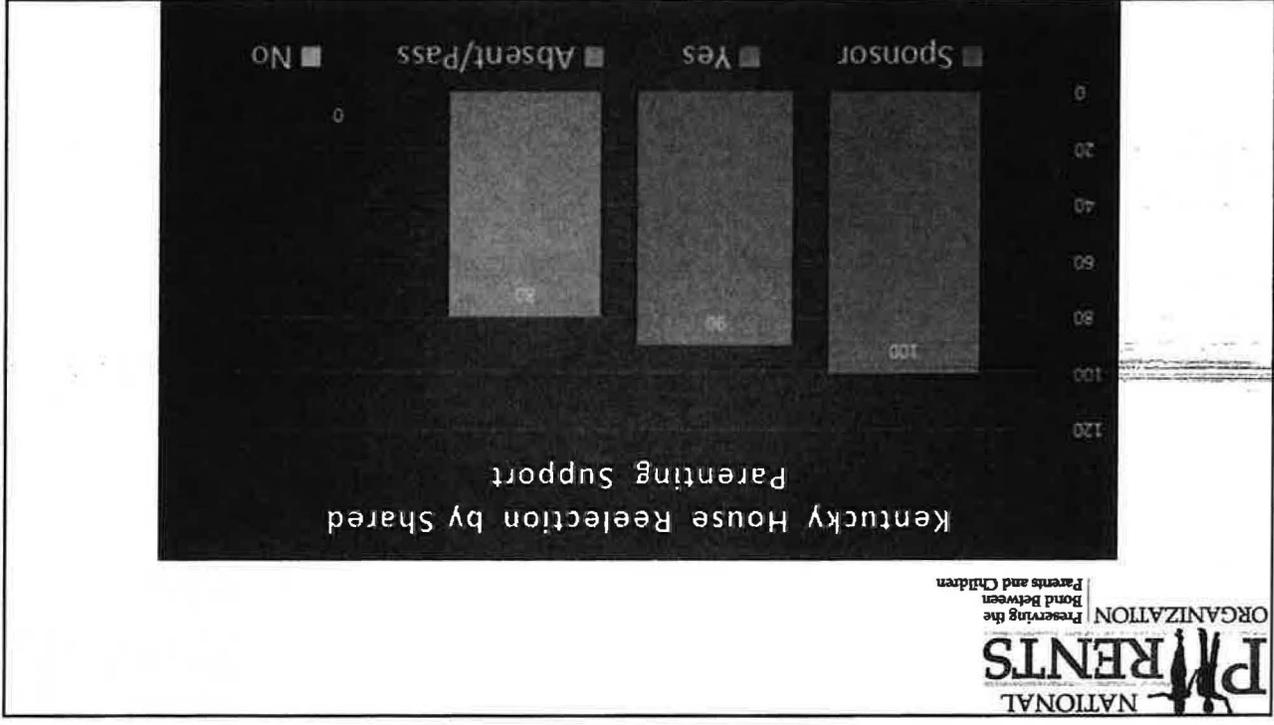
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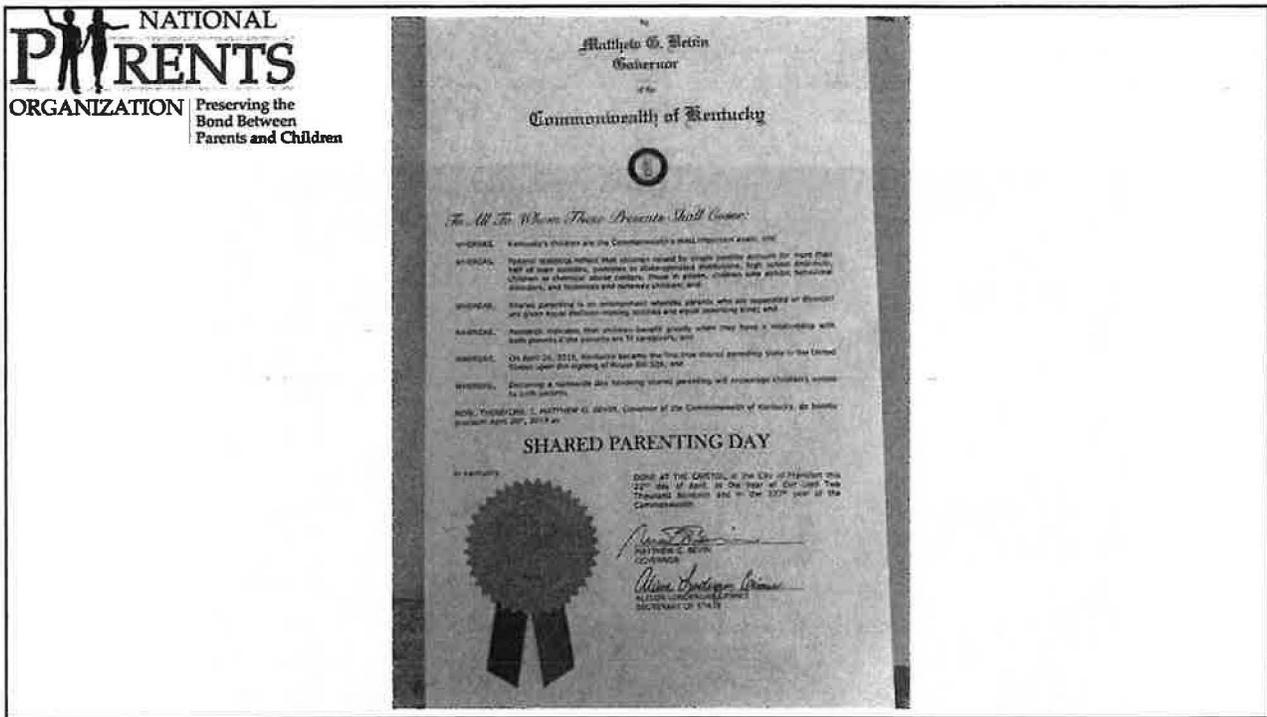


## Kentucky Shared Parenting Poll 2018

Support law: 58%  
Oppose law: 10%  
Undecided: 32%

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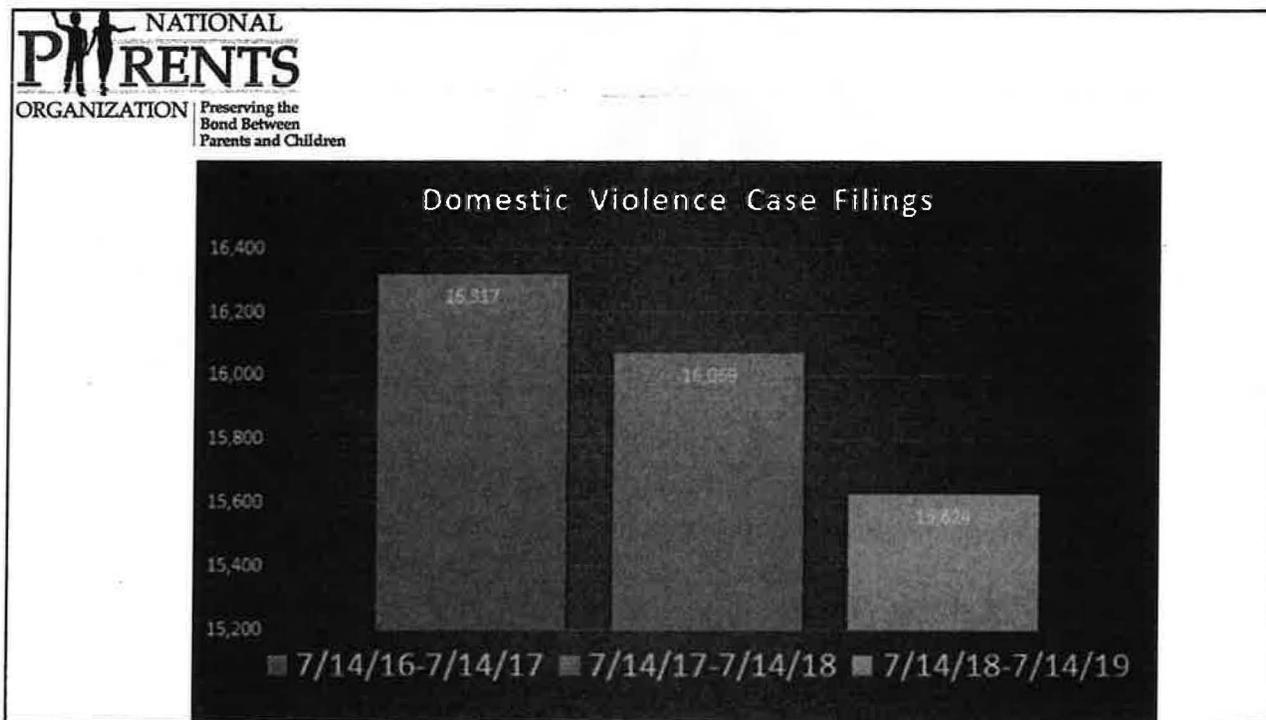
**ADMINISTRATIVE OFFICE OF THE COURTS**  
**Research and Statistics**

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Family Court Cases Filed by Case Category  
 01/14/2016 - 07/14/2019 Statewide

	7/14/2016 - 7/14/2017	7/14/2017 - 7/14/2018	7/14/2018 - 7/14/2019
<b>Domestic Violence</b>	16,317	16,069	15,624
<b>Grand Total</b>	<b>16,317</b>	<b>16,069</b>	<b>15,624</b>

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