

Good morning, Chairperson, and members of the House. My name is Kayla Jones, and I am here to testify in support of HB1533.

I am a survivor of domestic violence, and I left my abuser and filed for a divorce over 11 years ago. The domestic violence I experienced while I was still with my now ex-husband isn't unique. Many others have a similar story. I thought the abuse would end when I left. It didn't stop, it just looked different.

I met my abuser 20 years ago. I filed for my first Domestic Violence Protection Order in October of 2008. Most recently, I was granted a one-year Disorderly Conduct Restraining Order in August 2022. Which is currently on appeal to the Supreme Court.

In February 2012, my ex-husband was charged with Perjury. He was charged with this because he lied under oath to get a Disorderly Conduct Restraining Order against me. He said he did it to prove a point, that a Judge would sign anything. Since being charged with Perjury, he has obsessively argued in court documents that I lie under oath and has tried several times to have me charged with the crime. He's been unsuccessful with these attempts because I do not lie under oath.

In my divorce case, my ex-husband has filed recusals on six District Court Judges. He has established a pattern to request to disqualify a Judge when hearings, or decisions, do not have his desired outcome. There is even a history of making recusal demands before an order is even issued, because he anticipates the Judge will not rule in his favor.

My ex-husband consistently argues that the Court has a bias against him and favors me. However, he is consistently given leeway in his filings, arguments, and testimony. For example, during a two-hour court hearing, he was given 1 hour 45 minutes of time to present his evidence, leaving my attorney and I fifteen (15) minutes. My ex-husband admits in a brief submitted to the Court that "there have been some motions [he] should have never filed during the interim period of the divorce..." He has filed many pleadings, by his own admission, that lack validity in the law or fact. This makes it extremely difficult for my attorney to respond to the claims. This forces my attorney to spend time trying to find legal or factual support to take a position on the allegations. Of course, this means additional attorney fees for me. Many of his briefs are over 30 pages long, some are even over 100 pages. He often files things improperly, and not dated and/or labeled correctly, causing confusion with the Court and my attorney's office.

He continues to attempt to re-litigate certain issues that are long in the past. He wants to re-address issues that have been decided many times already by the court. For instance, he has repeatedly filed to recuse different Judges, states allegations of parental alienation, argues I am controlling, and that I lie under oath. In a Petition filed in 2021, he argues concerns that were already decided in 2013. In 2021 alone, he filed three separate motions accusing me of perjury. While preparing for a court hearing in February 2021, I was forced to listen to testimony I gave in September 2012. I was forced to listen to this because he submitted it as evidence. During this testimony I was talking about the violence that happened during our relationship over 9 years prior. This was difficult for me to listen to. I've worked hard to address my traumatic experiences, and he insists on pulling me back in. There are times I think he will never let me move on. He does this to try to maintain power and control over me.

Since the beginning of the divorce, my ex-husband engages in a pattern of name-calling, makes derogatory comments, and threatens myself, my attorney, and the Court. The Court didn't take a stance

on this until March 2021, saying if the behavior continued, they would hold him in contempt of court. His behavior continues, and he has yet to be held in contempt because of his behavior. Because there aren't consequences, he seems to feel validated and continues the name calling, derogatory comments, and threats.

Also in March 2021, nine years after this journey began, my attorney and I motioned the Court to have my ex-husband declared a vexatious litigant. At that time there was fourteen (14) appeals entered to the North Dakota Supreme Court and approximately 1,700 entries to the Register of Actions. He was declared a Vexatious Litigant in May 2021, and he immediately appealed the decision. The Supreme Court heard oral arguments in November 2021. In May 2022, the Supreme Court vacated the District Court's ruling, but entered their own order to declare him a vexatious litigant. Just this part of the case cost me nearly \$10,000 in attorney fees. When the proposition was presented to me to ask the court to declare him a vexatious litigant, it seemed worth the investment. I thought it would end the frivolous filings, and the legal abuse. However, he just became creative again. Now that his access to the Court is restricted, he emails my attorney, sometimes up to 20 emails a day, which results in me accruing more attorney fees.

Presently there are sixteen (16) appeals entered in my divorce case and the Register of Actions contains nearly 1,800 entries. In this case, there are at least eight separate Motions for Contempt that he brought against me. All the contempt motions have been denied. I have consistently been represented by an attorney since the very beginning of the divorce. Except for a few months, my ex-husband has represented himself pro se. There are at least four (4) other appeals to the supreme court outside of my divorce case that he has filed that involve me.

Recently, in August 2022, the Presiding Judge of the South Central Judicial District requested the North Dakota Supreme Court assign a judge outside the South Central district to handle any future proceedings. This request is made because "the judges of this district are acquainted with the plaintiff/defendant and feel that in the best interest of justice should disqualify themselves." This request affected the Disorderly Conduct Restraining Order that I was granted in 2022. While awaiting a Judge assignment, the hearing was postponed by weeks. The assigned Judge, and their recorder, traveled to Mandan from Jamestown for an hour and a half hearing. This is frustrating because if my ex-husband didn't use the court system to abuse me, we could have continued to use Judges in our district, and there wouldn't be a waste in resources.

In closing, my ex-husband has used the court system for over eleven years to continue to abuse me. He uses our Judgment to try to manipulate a situation and uses our children as a vessel to continue the abuse. He uses the court to try to maintain power and control over me. The ten years it took for some relief is too much. It has cost me tens of thousands of dollars to fight this battle. I cannot even fathom how much his abuse has cost the state of North Dakota. I know how lucky I am to have legal representation the entire time, many others don't have that luxury. I've missed dinners with my children and husband, and bedtime stories, I've been unable to sleep, and gone through emotional turmoil to respond to frivolous court filings or to prepare for court. I've used hours, upon hours of paid time off to prepare documents and attend court hearings.

Domestic violence doesn't always end when a victim leaves their abuser. Please pass this bill to end an abusers ability to attack their victims by using the court system.