

Dear Chairman Klemin and members of the Judiciary committee, my name is Jessica Gaube. I am testifying in strong opposition of House Bill 1242 because no separation/divorce situation is alike. Personal stories deserve to be heard before any legal decisions are made or there could be detrimental and lifelong harm to children.

I am a mother of three wonderful children. After many difficult years, I filed for divorce from my husband of 15 years. The next year of my life was exhausting and traumatizing for my children and for me as my ex-husband threw us into daily chaos and hardship through countless legal motions and tens of thousands of dollars in legal bills. As devastating as this past year was, all of these challenges were worth it in the end, because a highly respected judge granted me primary custody (70-30) of my children because it was in their best interests to not have to spend half of their lives living in the chaos provided by their father. We have joint custody where the children get to spend enough time with their father while still having a stable and safe living situation with me for more of their time.

Over the past year, the judge received multiple motions and evidence (41 exhibits to be exact). In April, we spent one day in court providing evidence and witness testimony in an interim order, which was requested and filed by my ex-husband. The judge took our case under advisement for 10 days to grant the interim order. At the interim, based on solid evidence and testimony, I was granted primary custody. In addition to the custody orders, alcohol restrictions were wisely set in place for him. Finally in September, we spent an additional two days in court to determine a final judgement of custody. The judge spent an additional 100 days examining evidence and testimony, and in December I received the final ruling that I would continue to have primary custody and alcohol restrictions would remain in effect as well.

Throughout my children's lives, I have been the primary parent who provided for not only all of the day to day needs of my children, but also ensured that our home was a safe and stable place for them. Meanwhile, my ex-husband spent many hours away from home catering to his own personal desires with very little regard to how it affected our children. There was a recurring roller coaster of alcohol abuse that led to numerous situations that sometimes involved my children witnessing their father in upsetting drunken chaos. The breaking point for me, came after my ex-husband spent an evening out drinking with his friends. He drove home intoxicated hours after the bar closed. Fortunately, my children had no idea because I protected them from these common occurrences the best I could. Without me to be their buffer, their lives could be endangered by his erratic behavior.

I also did my best to shield them from the things that happened during the separation and now the divorce. Unfortunately, my ex-husband selfishly shared information with our children, told them countless lies about me, and involved them whenever he could. He even wrote statements on their behalf for the court and pulled them out of school to have them sign the statements.

Everything I have endured during my marriage and still do today, is abuse. Emotional and mental abuse. Not until I was separated from him and free of his control, did I see his actions for what they were. Unfortunately, the mental and emotional abuse doesn't stop. My ex-husband does not have a criminal record. My ex-husband holds a job. If you met him on the street, you might think he was a nice guy. If you were a fly on my wall, you would have witnessed an entirely different, devastating story of years of abuse. In reality, he claims to be the victim and does everything he can to continue to control me and to make co-parenting a challenge. Not all abuse is physically visible. I don't have bruises or police reports, but I do have real life experiences and documented proof of his abuse and control in my life. Please don't think you know what goes on in someone's home or life. We all have a story to tell. My story is worth hearing. The evidence and testimony provided in court proved that everything I experienced was true as the court granted primary custody to me. Again, this is not sole custody. Their father shares custody with me, he

just has them a few less days a month than me. It would never be in their best interests to spend a week or more in his care as he has proven incapable of meeting even their basic needs. We are still suffering the pain of the aftermath of his choices.

Today, my children and I are in counseling and doing well. We've recently purchased a home and are looking forward to a new beginning. While I wish I was never in this situation, I am so grateful that a judge had the ability to look at my situation individually, view the facts, dismiss the lies, and in the end make the best choice for my kids and me.

It is essential that parents maintain the right to request a judge's professional authority to hear personal stories and examine evidence on a case by case basis, as this ensures that children will not be negatively harmed by a universal rule that completely eliminates personal experiences. Children are not a one-size-fits-all case. No human is. Judges have the proper expertise to assess and determine the best interests of the child by hearing each case individually and studying the evidence. This ensures fair and impartial decisions and provides parents the legal ability to fight for what's in the best interests of their children. If this bill is passed, you will undoubtedly cause incredible harm to children all over our state and take away parental rights.

I am confident that if House Bill 1242 became law, that many families like mine would not have the opportunity to share their story. Without the opportunity to share my story on the stand, under oath, in front of a judge, I'm afraid to think of how my children would be suffering today. Children and families don't deserve a blanket law. Our stories deserve to be heard. Our stories need to be heard. I firmly urge this committee DO NOT recommend House Bill 1242 and to let our individual stories continue to be told and heard. Thank you for your time.

*Jessica Gaube 2/19/2025*

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