

Feb 10, 2025

What: HB 1242 (Rebuttable Shared Parenting)

Who: Dorothy Kuester

Retired Early Childhood Educator

Williston School District: 38 Years

Nana to 3 precious grandsons (ages 6, 4 and 2)

I am here today to testify in favor of HB 1242 (Rebuttable Shared Parenting)

In the summer of 2023, my daughter in law filed multiple false allegations to CPS and the Police Department in Williston. She accused my son of committing physical and sexual abuse against his three sons. It was all found to be untrue. Eventually, she stole my grandsons and crossed the state line and relocated 150 miles into Montana. My son immediately filed Contempt of Court and served the Divorce papers. The judge did nothing about the Contempt of Court and she was allowed to stay in Montana, 150 miles away from the community the children were born in. The children have a strong connection to Williston. They have two great grandmas, a nana and two papas, uncles, aunts and cousins. They left an amazing neighborhood with friends and a church community. My son became a part time parent, and I have become a part time nana.

Our current system allows for competition when it comes to determining the custody of the children. One parent often tries to “dig up dirt” on the another parent in an effort to gain more parenting time. We rely on one judge to decide who is the best parent. Our current system is broken and the children are the victims.

When one parent is absent from the children’s life, except for an occasional weekend, the children are at risk of thinking that their parent doesn’t really want to be with them. I see the effects of this on my three grandsons. The two

older boys say that they want more “daddy days” and are sad when the weekend is over. I’m deeply concerned about my two year old grandson. He is in Montana with his mother and grandma and spends all of the time with them. He shows severe signs of separation anxiety when he has a daddy weekend. He has to know where his dad is at all times. He cries big tears if he thinks his dad is gone. He frequently checks in with daddy while he is playing to seek out a hug and say “I love you daddy.” He is starving for male attention. When he is with us for a weekend, he can’t get enough of daddy, papa or his “unca” (uncle).

I pray that the limited time we have with him will not result in emotional issues and increased anxiety.

According to “**The Institute of Family Studies**”, the amount of parenting time a child spends with a parent after divorce is highly related to how secure the children feel.

Children living with one primary parent fare worse than other children living in shared parenting environments across these five domains.

1. Academic & Cognitive
2. Emotional & Psychological
3. Behavior Problems
4. Physical Health & Stress Related Problems
5. Parent / Child Relationship Quality

One primary custodial parent is subjected to higher stress and this reduces the parents’ emotional availability to the children.

The following facts are taken from Emma Johnson’s book titled

**“50 50 Solution: A Surprisingly Simple Choice that Makes Moms, Dads and Kids Happier & Healthier**

1. Equal parenting policies are directly correlated with lower rates of family violence and filing false reports to CPS.

2. In the five years after the Kentucky legislature passed the Rebuttable Shared Parenting Law, the number of domestic violence claims fell by 70%. Family court filings in Kentucky also dropped.
3. We can speculate that by neutralizing the power struggle between divorcing parents, not only is there less reason to go to court but the parents choose to work out custody agreements on their own or with a mediator. There is less incentive to use the court system.

Maintaining strong relationships with both parents promote stability, security and consistency. This is critical for proper emotional and psychological development. Children benefit from having both parents, and all of their great grandparents, grandparents, aunts, uncles and cousins in their lives.

I have been written out of my grandsons' lives. I am a part time nana. I see them on an occasional weekend when they are in town to be with their dad. I try to maintain a relationship with them, but their mother does not give them the mail and care packages that I send them. I have tried to send items to their school, but the boys keep the items in their desks. They don't dare bring the items home. They are a bit too young to connect with by phone. But we don't even have their mother's phone number. I have driven over for a soccer game. I have been allowed to see the two grandsons who were playing. However the third and youngest grandson was kept at home with grandma. These items are all accounted for in the custody agreement. She chooses to ignore them. She continually chooses to show that she has the upper hand.

In closing, my husband and I mourn the loss of our son's lack of parenting time. We so desire to have the ability to love, nurture, and be a positive influence in our grandsons' lives. We want to aid them in growing up to be productive, caring individuals.

Please give this bill a due pass. Please consider North Dakota's children. Please consider the many nanas and papas that have limited access to their

grandchildren. Ultimately, put an end to the cycle of children of divorce being used as pawns in a broken legal system.