

## Testimony Opposing HB1242

Dear Members of the North Dakota Legislative Assembly,

I am writing to express my opposition to House Bill 1242, which seeks to amend sections 14-09-00.1 and 14-09-29 of the North Dakota Century Code to establish a presumption favoring shared decision-making responsibility in child custody determinations.

While the intention to promote cooperative parenting is commendable, this bill raises several concerns:

1. **Best Interests of the Child:** Mandating a presumption of shared decision-making may not serve the best interests of all children. Each family situation is unique, and imposing a one-size-fits-all standard could lead to arrangements that are not optimal for the child's well-being.
2. **Judicial Discretion:** The current system allows judges to assess the specifics of each case and make custody decisions based on a comprehensive evaluation of factors affecting the child's welfare. This bill could unduly limit judicial discretion, leading to less tailored and potentially less effective custody arrangements.
3. **Parental Conflict:** Forcing shared decision-making in high-conflict situations may exacerbate tensions and negatively impact the child. It is essential to consider the dynamics between parents and the potential effects on the child's emotional and psychological health.

I went through a divorce in December of 2019. Even though my ex husband and myself have a good coparenting relationship now, it took a long time to get to this spot. A mandated forced, blanket ruling like the one that is being discussed now, would have just made an already highly emotional situation much worse.

In conclusion, while promoting shared parenting is a valuable goal, House Bill 1242's prescriptive approach does not account for the complexities of individual family circumstances and will be much worse in application than in theory. I urge the legislature to consider these concerns and prioritize flexible, case-by-case evaluations in child custody matters to truly serve the best interests of North Dakota's children.

Thank you for your attention to this important issue.

Sincerely,

Jessica Staehr