

February 10th, 2025

Good Morning Chair Klemin and members of the committee. For the record my name is Kelsey Wight. I am here today as a parent in opposition of HB 1242. I am the mother to two amazing little boys ages 3 and 1.

This bill would change the family law provisions of the NDCC and affect many families. I recently just went through a lengthy divorce and custody battle this last year and a half. Now I won't get into the lengthy details however I will touch on some of them. While I was 8 months pregnant with my youngest my ex-husband walked out on our family.

When reading through this bill it appears with everything that occurred in my situation, he would still be deemed to be a fit 50/50 parent. During the course of our divorce he had moved 3 times, often times did not contact the children, would stop for 15 minutes here and there, many no call no shows after he told our son that he would come see him. At that time my oldest was 2 and his brother was not born yet. How do you explain to a 2-year-old how their father is choosing work or choosing not to see them. Instead, you have to lie and say that something came up and they weren't able to make it. Prior to wanting a divorce, he was with a coworker, and it appeared that when he would have our children, she would be over during the time he was with our children. This was confusing to them. My children struggled for months and still do this day following time with their father.

I'd like to touch on a few more things that occurred. He had a drinking problem, in court he told the Judge on a normal day he would drink 8-10 beers, and he didn't see an issue with that on other nights it would be a case and a half. According to this bill he would still be deemed to be a fit 50/50 parent. He does not manage money well, there was multiple times though the course of our divorce that he did not pay insurance on time or would ask me to cover daycare. These were the only bills he was to pay. Since he left, I have had our children majority of the time, paid all the bills (home, medical, essentials), I schedule all appointments and take them, I worked during my maternity leave in order to keep a roof over my children's heads. I take them to daycare and communicate daily on needs, if they need diapers/pullups, behaviors, take off work when they are sick and ask how their day is going. He only checks in with me sometimes and it's usually the same message how's the boys day. According to this bill he would still be deemed fit to be a 50/50 parent. He does not know the name of their pediatrician, there was one instance that my youngest was to be closely

monitored following a surgery for 72 hours and if anything occurred, he was to go to the ER, He decided it would be a good idea to take him camping 1.5 hours away for the nearest ER. He has not contributed any financial help towards the children. Again, would still deemed fit for 50/50 according to this bill.

As of February 4th, 2025, I was awarded primary custody. The Judge is the one who hears and sees all of the evidence and testimony in each case. No custody case is the same and passing this bill would presume that each situation is the same. Based on these issues that I have brought forth he would still be presumed to be a fit 50/50 parent, and these are not even a majority of the issues that arose during our hearing.

As a parent how can this legislation committee honestly say that the behaviors presented would still be considered "fit"? This bill is not having the children's best interests in mind it is assuming that every parent can be a parent. How would a parent choosing work over their children be in that child's best interest? You have heard in supporting testimony that it would be in the best interest to have 50/50 custody, what if at one parent home that child has no rules, goes to bed when they want, there is no expectations for them but in the other home there is a bedtime, rules and expectations to maintain, how would the unstructured differences help a child's development? From my own personal experience My now 3-year-old following dads time would be frustrated and was not able to understand his feelings. He would hit himself and hit his head on the walls and floor. There was a time at daycare that he hit his head so hard on the wall that he put a dent in the wall, when relaying to his father the behavior the response was "poor guy". I have worked endless amount of hours ensuring his safety and helping my son understand that it's okay to be frustrated but we cannot harm ourselves, its heart breaking to see your child go through that. My now 1 year old use to scream and cry for hours when he returned home, and I would try everything to help him. You cannot explain to an infant what they are feeling all that I could do was try and comfort.

I urge you all to put yourself in the shoes of those who have had to go through these things and understand that each situation is not the same. This bill would hurt the children, I strongly urge a DO NOT PASS and will stand for any questions.

Thank you,
Kelsey Wight
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