

Shared Parenting 2-10-2025

To: Judiciary Committee

From: Craig M. Richie

craigrichie148@gmail.com

701-541-3725c

I have been asked to testify regarding this shared parenting bill as it is the opinion that my past experiences give a perspective from many different angles. As you can imagine, it was not my intent nor wish to testify, but it's obvious they are correct as to my perspective be many faceted. I personally "do not have a horse in the race".

I have been a lawyer for 52 years in the general practice of law but unfortunately have done a great deal of domestic relations law.

The truth is this should not be about the legal system but what is best for people, particularly children.

I understand what you consider as legislators as I was privileged to serve in the North Dakota House of Representatives for three terms serving on the judiciary and agriculture committees.

- Other experiences that give me a broad perspective:
- Coached for many years even having a batting cage in our backyard with a pitching machine training kids to hit
- Running a church basketball league for non-varsity high school players which now has 24 teams in it from all the local schools.
- We organized and started a hockey club for kids all the way through high school as well as converting a warehouse into a hockey arena with artificial ice. This was for cuts from other teams and poor kids.
- We raised the money for the Tharaldson Baseball Park with four baseball fields with lights brick dugouts, concrete retaining walls and grass infields.

- We also have the Laurie Berry CHRISTian Home in Mayville, North Dakota which is a place for college kids to hang out as well as some living there.
- When I sold my law practice and even though I still practice law it is not as much as I would like. I now substitute teach. Three years ago on a four day assignment which is unusual, the teacher quit t;wo days into it and they hired me to teach English the rest of the semester. To say it went well would be an understatement; I am still in communication with a number of the students. The next year they needed 1/2-time English teacher at Oak Grove Lutheran school. Toward the end of the first semester they fired their Christian Studies teacher and I taught religion full time for the rest of the year.
- Probably most importantly I am a step farther with two adult children.

Even though it was not my desire to testify in regard to this bill, it was hard to argue that I did not have quite a bit of knowledge from different perspectives.

I also have to say that over the years my perspective and feelings on shared parenting has not only modified but changed.

This should not be a legal as much as it should be about people particularly children.

From a legal standpoint, I think anybody who has been in the system would say that it is a mess when it comes to divorce, custody, adult abuse and everything that goes along with it. This is an area of the law that should be the fairest and help people the most, but it is clear that it is the least fair as compared to other law areas.

This is particularly true when it comes to custody of children. Children are not made for divorce and it always and I will repeat always hurts them! I understand some will disagree with that but it is true. I am not saying that there are not times people need to be divorced or that people should stay in abusive situations or anything like that. My point is it hurts children! It also hurts the husband and wife.

When it comes to custody/primary residential responsibility it is not how good a parent a person is but to show the other person is bad. It is disgusting to have to say, "that unless you can show what's wrong with the other parent you will lose". If lawyers deny this happens, they are not telling the truth. You can only imagine therefore what these hearings turn out to be. Lying about the other spouse is "par for the course" and happens in almost every custody situation. Many times getting social services involved with false allegations will give one party a "leg up".

If this bill passes, then there is less opportunity or need to lie about the other party. Certainly, there are times that a abusive party or for a number of other reasons has to have their parenting time limited. However, for the most part is not the case. The end result is that men either abdicate their parental responsibility or have it abdicated for them. If this bill passes it forces people to get along. I will tell you that the people who do best in these get along from the beginning. Can you imagine after trashing each other in court with lies or for that matter even the ugly truth how can the people then get along and Co parent? The answer is they do not. These cases go on for years with a great deal of money being spent. This money could have been spent on the children or themselves.

I have to interject here that if some lawyers are against this then you have to ask why? I actually know some lawyers who have stated by letter they are against it, and I respect them and like them. Why would you as legislators trust the people who have worked in a broken system and have had a great deal to do with breaking the system? Now they have the answer to fixing it? Everybody knows it is broken if they are honest enough to state so.

It also should be noted if a person usually a man does not pay child support then he is hauled into court and is made to do so at no cost to the obligee. However, if usually the man is not getting visitation nobody hauls the offending party into court. They have to pay to get a lawyer to help them only to have a judge say the offending party should do better. Eventually, men just give up. This is usually, the man however not always. Some of the worst cases are false

allegations against women because that is what is needed in order to win. Referee Jack Dietz used to say, "A courtroom is a place where things are said that are never forgotten". Can you imagine people trashing each other and then trying to get along for the benefit of the children. That is just not going to happen. I am old enough to remember when there was no regional Child Support Office to help primarily women to collect money from dead beat fathers. Before Regional Child Support helped them collect guess what? "Dead beat dads" just refused to pay as there were no consequences. The same is happening today in regard to not getting parenting time. I know one man who was wrongfully accused of abuse as were his two teen age sons by the mother. He had custody parenting time of the boys and her the girls. The boys both have become lawyers to try to correct the system. The daughters are still angry hating people who refuse to see their father. The alienation was so great that the youngest girl was willing to testify as to how bad her father was when her mother was pregnant with her. She called him a "sperm donor" rather than her father. The case went all the way to the N.D Supreme Court. Yet, he still has not seen his daughters who are now through college.

This bill in most instances takes the need for all that ugliness out of the court system.

As a coach/umpire and now a teacher It is easy to tell which kids do not come from a two-parent home. Like Lou Holtz the famous Notre Dame coach said, "kids are more fragile today". The reason is they do not have two parents. This is not to say that one parent is bad; it just means one parent cannot be mother and father. Some will argue that but I am here to tell you it is not true. My wife is a tremendous mother great partner and a loving parent in all ways as well as being smart and competent. A fine Christian lady! I distinctly remember a conversation that I was eavesdropping in on between our son/my stepson and Irene. When we met, Irene had just finished her college degree while raising two kids but was still living in low-income housing in Moorhead.

Jared said to Irene, "if we were still living in Moorhead I would probably be a drinker and a druggie". Irene said, "I wouldn't have allowed it!" At which time

Jared said, “you couldn't have stopped it”. Jared was a great kid and Irene is a tremendous mother who is not afraid to discipline. What he meant was, “I may not like it, but that guy in the corner who is bigger than me I am enough afraid of that I would not try it.” I never ever touched him, but there is still that awe of a father.

Like I said before, the best thing to do where they have two parent homes at all times because people did not get divorced but that is not going to happen. This is the next best solution.

I can tell you that in the classroom setting as a teacher is going to have trouble with the kid you can pretty much be assured that they come from a single parent home. Of course, that is not always true but it is true more times than not. The teacher ends up spending most of their time dealing with that problem child rather than teaching the others. Teachers say that it has to be learned at home. That is true to a degree, but it is not being taught. As you can imagine, the custodial parent is always concerned that if the child does not get their way then they will threaten to go live with the other parent. Shared parenting time on a 50/50 basis takes care of that. If you do not think parental alienation takes place you are wrong. It happens in most every case. I can tell war stories for hours of how the present system does not work and it hurts children. Studies show sex trafficking and other crimes center on single parent homes. The vulnerable!

Irene and I have spoken about it often, but we have come to the realization that the better the relationship the children had with their father the better relationship they had with us. I am not saying that the party deserves it, but it is best for the children. I often say to a mother, “it may not be fair or deserved but it is best for your children that you teach your ex-husband how to be a good father”. I always repeat that, “I did not say it is fair, but it is best for your children”. Ultimately it is also best for them. Believe me, they do not want to listen to that.

I have to finish by saying that our daughter and our son Irene and I both agree were hurt by them not having a father around. There is something within them

that believes as most kids do that if there's something wrong with their parent something is wrong with them. As a stepfather, I can tell you that if you are good their father is bad and therefore they are bad. It of course is not true but it is how they feel. The very few cases where the parents have worked together in raising children even though divorced have worked out the best for them. I am not telling you we did this, but we should have. Rather than being angry at Ron for not paying child support even though it was only \$75.00 a month and he had a Cadillac and would lie to the kids about what he was going to give them. I was totally wrong by telling him to get out of the way when Jared was playing in the Legion World Series in Fargo. I should have been sitting with him and discussing the game. That would not have been easy but would have been the right thing to do for the best interest of the kids. Krista to this day says the best day of her life was at her college graduation when we said we forgave Ron and asked him to forgive us for our actions. Even with that said she still carries those scars and so did Jared until his death.

The bottom line is what we have is not working and this is a step to make it a little better. It is certainly not for lawyers to say what should be done as they are part of the problem. In fairness to them they inherited it but it still is not working but familiar to them. Like I said initially, I have a great deal of experience in many different areas that frankly I would be remiss if I did not share with you enacting this law. It is obvious there will be opposition to the status quo as people will feel they will be losing money, power or whatever. However, this is still the best thing to do. This is what my wife and I have learned from many years of experience and learning the hard way. It is not just our family but also what teachers and counselors I have spoken to as well as over a half century working in this area of the law as well as my other life experiences which has caused me to see that I have been wrong, and it needs to change.