

1. Madam Chair, Senators of the Committee, my name is Phyllis Lewis, and I'm here to support Senate Bill 2383.
2. This bill is for North Dakota. Bill 2383 allows children to experience the "orange effect." You ask yourselves "What is the orange effect?" Allow me to explain. The orange effect is a child or children that get to have both mom and dad in their lives as close to 50/50 as possible. If we continue the trend of having red houses, and yellow houses, children often do not get to blend themselves with both houses which would be your orange. Hence red and yellow make orange. While these colors are beautiful in their ways, when blended, they become something different, something brighter, and something that allows the children to thrive in each environment as if they were living in one home. They get to experience love, and traditions, and get to design memories that last a lifetime with both parents.
3. If you are concerned abusers or people who would place children in harm's way would be protected, they are not. I can assure you this bill will do the exact opposite. The provisions this bill has will activate Best Interest Factors if and only if there is unmistakable evidence resulting in convictions of domestic violence or other situations that would bring emotional and physical harm to the children. Let's remember just because mom and dad did not get along, it does not mean children have to suffer by not having one parent in their lives equally. The current law does not allow for as close to equal parenting time as possible, which creates government-sanctioned alienation.
4. There are clear differences between a child custody case where both parents have clean records and are considered "good parents" and cases where we need something activated because one parent has caused harm to the child. Listed in Section 3 Number 2 protects children from items such as Domestic Violence. Let me give you a real example. Before filing for my divorce in 2022 there was what I call a "Night of Terror" on August 23rd of that year. My then-husband held me and our two children against our will. I was beaten, choked, and struck with objects multiple times for roughly two hours. All was done within the presence of the children. He also threatened their lives many times that night. My now ex-husband was convicted of domestic violence not just against myself but the children. If this bill passes, situations like mine will trigger the provision in Section 3 Number 2(d) and Section 3 Number 2(e) therefore enforcing the Best Interest Factors to be decided. But note the word convicted. This means there was a fair review to which overwhelming evidence from myself and the children played in his conviction. This bill would protect children more than current laws do. This bill follows the guidelines within the Constitution of the United States of America.

5. Allow me to make a bold but true statement. I could, under the current best interest factors, have a child with anyone in this room and all I have to do is say I'm afraid of harm and it could be game over for your parenting time. This is in the Best Interest Factor where all I am required to do is show evidence. Evidence is not a legal standard and is extremely vague but just because I am fearful for an undefined thing does not mean you deserve to have your parenting rights revoked or limited parenting time. We are setting our children up for failure when there are limits on good parents. This bill is not just for the parents of North Dakota but more so for the children of North Dakota. They are what matter, they are our citizens, they are the future of this state, and we are responsible for protecting their rights too as they are not yet able to vote for these things. We need to preserve their right to life, liberty, and the pursuit of happiness, which are protected by SB 2383.

6. In conclusion, I am sure many of you have driven out of state and when you returned, I wonder if you've noticed what the sign says. It states, "Welcome to North Dakota Be Legendary." Let us be the state that sets the best standard for shared parenting.

7. I thank you all for listening to my testimony and request that you vote for a "do pass" on SB 2383

Phyllis L. Lewis
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Resident, State Of North Dakota