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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Judiciary, Corrections and Privacy...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (July 2012)

Senate

Record of Committee Proceedings

Committee on Judiciary, Corrections and Privacy

Senate Bill 586

Relating to: preparing and filing parenting plans, equalizing periods of physical placement to the highest degree possible, using parenting plans to determine periods of physical placement, and modifying physical placement and custody orders.

By Senators Plale, Reynolds, A. Lasee and Lazich; cosponsored by Representatives Pridemore, Gronemus, Gunderson, Gundrum, Hahn, Hines, Kestell, Krawczyk, Kreibich, F. Lasee, Musser, Nass, Ott, Van Roy, Wood, Strachota and Vos.

February 08, 2006 Referred to Committee on Judiciary, Corrections and Privacy.

April 6, 2006

PUBLIC HEARING HELD

Present: (5) Senators Zien, Roessler, Grothman, Taylor and
Risser.

Absent: (0) None.

Appearances For

- Don Pridemore — Rep., 99th Assembly District
- Renee Weaver, Morrisonville
- Leah Laack, Morrisonville
- Katti Laack, Morrisonville
- Mike Landwehr — WI Fathers for Children and Families
- Jodi Roberts — WI Women for Equality
- Bryan Holland — Legislation for Kids and Dads
- Heather Kussmaul, Woodman
- Jan Raz, Hales Corners
- David Lewis, Wauwatosa
- John Mayer, Milwaukee
- Susie Schooff — Senator Jeff Plale

Appearances Against

- Bob Anderson — Legal Action of WI
- Barbara Ward McCrony, Janesville
- Tom Glowacki — State Bar of WI (Family Law Section)

Appearances for Information Only

- None.

Registrations For

- Roger Beers, La Valle — WFCF

- Tom Pfeiffer, Verona — WFCF
- Pete Anderson, Madison
- Jeremy Eastlick, Portage
- Joseph Vaughn, Evansville
- Alfreda Kubala, Oxford
- Stephen Blake, Oxford — WI Fathers for Children and Families
- Scott Suder, Madison — Representative, 69th Assembly District
- Stephanie Pierick, Woodman
- Peter Kerr, Grafton
- William Ward — Milwaukee Police Association

Registrations Against

- None.

April 12, 2006

EXECUTIVE SESSION HELD

Present: (5) Senators Zien, Roessler, Grothman, Taylor and
Risser.

Absent: (0) None.

May 4, 2006

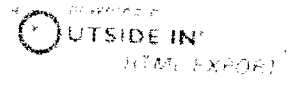
Failed to pass pursuant to Senate Joint Resolution 1.

Kimber Liedl
Committee Clerk





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Hearing for AB 897- February 16, 2006

Written testimony by Marc B. Kotz

2982 Clifford Court, Green Bay, WI 54311-4924

mbkotz@earthlink.net

My name is Marc B. Kotz, and I live in Green Bay, Wisconsin. I am a father, educator, administrator and artist. In the last ten years I have been blessed with a beautiful daughter named Madeleine. I have also been plagued by the refusal of my daughter's mother to cooperate in a reasonable co-parenting relationship. Nonetheless, I have persisted in being a father to my daughter, driving 300-500 hundred miles per week and maintaining two residencies for the first seven years of her life, also incurring enormous legal expenses which have placed me in extreme financial debt, and generally weathering the emotional and personal hardships these conditions have brought to my life. Even though I now live in the same community as my daughter and her mother, and have a pending court action that I hope will afford me more contact and involvement in my daughter's life, the devastation that this situation has wreaked on my daughter's and my general family life has been wanton and tragic, and will negatively effect our lives for many years to come.

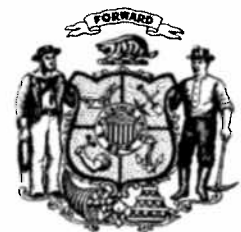
Through all this I have been often commended by family, friends or acquaintances on what a good thing I am doing for my daughter by staying present and involved in her life. I know that they are correct, but wonder how much longer I will be able to maintain the hardship of this life style, and continue to fear a day that, through no fault of my own, I will not be able to be the father she needs and deserves me to be. I ask each and every one of you in this hearing to reflect if these are circumstances that we can afford to allow parents and children to suffer with. Unfortunately, there are far too many parents, particularly fathers, who have stories that reveal similar or often worse devastation to their personal and family lives. It is simply unthinkable and unacceptable that this government has policies and statutes in place that regularly deprive children access and contact with parents that seek to be as active out of wedlock as at any other time or situation. And yet, to add insult to injury, most of these parents that find themselves in such deplorable conditions, are routinely treated by the state as if they only potential deadbeat parents.

Typically, Judges and Court Commissioners in the Family Court System like to see parents work things out between themselves (or at least say they do). The problem is that while it takes two parents to effectively co-parent a child, it only takes one to insure that there is conflict and adversity. At this point it is beholden on the legislature to see to it that the current statutes do not allow our court officials to unwittingly contribute to litigations that they profess to discourage. By routinely awarding inequitable child custody and placement allocations, court officials actually create incentive for some parents to go to court. Certainly there are instances where the deliberation of a judge is required, but by making it the standard alternative to parents with disputes, and by giving undue discretion to the official themselves, the statutes effectively create a competition over which huge amounts of resources are expended to win. This is definitely not in the best interest of my child or any other child.

Consequently, it is now high time to rectify our state statutes to extend to all parents who seek to be actively involved in their children's lives, an equal opportunity to do so. The passage of AB 897 would have such a positive impact in my daughter's and many other children's lives in the State of Wisconsin. I implore you to do the right thing and see that AB 897 is passed and sent on its way to further ratification as an amendment to the current State of Wisconsin statutes. Thank you for your time and attention.



WISCONSIN STATE LEGISLATURE



TESTIMONY BEFORE THE ASSEMBLY FAMILY LAW COMMITTEE
AB-897
FEBRUARY 22, 2006

My name is Steve Blake and I reside at 2863 Second Drive in Oxford WI. I am privileged to be the president of Wisconsin Fathers for Children and Families. I and we strongly support this bill.

Most people assume that a family court judge grants custody. This is not true. The fact is that when two parents enter the courtroom they already have custody. All judges can do is take it away. God alone grants custody of our children.

The right to parent is God's gift, and a natural right. When the State seeks to restrict this right, the burden is on the State to establish, by clear and convincing evidence, that you are unfit to parent.

In my own case the judge decreed that based simply on his perception that "you two can't get along" he took away my rights as a parent and in doing so he denied my children their right to have a father in their lives.

I have submitted to the members of this committee a list of court decisions upholding the right to parent and will quote from a few in this testimony.

The U.S. Supreme Court implied that "a (once) married father who is separated or divorced from a mother and is no longer living with his child" could not constitutionally be treated differently from a currently married father living with his child. *Quilloin v. Walcott*, 98 S Ct 549; 434 US 246, 255-56, (1978).

This seems to me to mean that the state does not have any more right to inquire into the capability of a divorced father to provide what the state considers to be a good home than it does of a father in an intact family when there is not clear and convincing evidence of abuse or neglect.

The right to parent has been upheld in numerous other cases as well. The burden is clearly on the party seeking to interfere with a parent's fundamental liberty interest in the care, custody and management of their children to prove such a parent is unfit to do so. This is a constitutional restriction on state interference and the only reason to deny one parent the right to raise his or her children on an equal basis to that of the other parent. The mere fact that a legal contract (marriage) between two adults has been dissolved does not entitle the state to interfere with the private family affairs of a citizen of a free country. The relationship between a parent and child or children is clearly a private family affair.

In a 1949 ruling the court said, "The private interest here, that of a man in the children he has sired and raised, undeniably warrants deference and, absent a powerful countervailing interest, protection. It is plain that the interest of a parent in the companionship, care, custody, and management of his or her children "come[s] to this Court with a momentum for respect lacking when appeal is made to liberties which derive merely from shifting economic arrangements." *Kovacs v. Cooper*, 336 U.S. 77, 95 (1949) (Frankfurter, J., concurring). For example, a property settlement following a divorce. Children are not cars or furniture.

In a 1972 decision the Court stressed, "the parent-child relationship is an important interest that undeniably warrants deference and, *absent a powerful countervailing interest*, protection." A parent's interest in the companionship, care, custody and management of his or her children rises to a constitutionally secured right, given the centrality of family life as the focus for personal meaning and responsibility." *Stanley v. Illinois*, 405 US 645, 651; 92 S Ct 1208, (1972). (Emphasis mine)

The interest of a parent in the relationship with his or her children and the importance to children of having two involved parents in their lives is much more important than the convenience of the state or courts. If passage of this bill as it is written results in more work for the court system, so be it. Judges, like legislators,

are servants of the people. The people have a right to expect their servants to do the jobs we pay them for without having to worry if our problems are too inconvenient or onerous for them to have the time consider.

This bill returns the power to make decisions concerning our children to us the parents, which is exactly where it belongs. You, as legislators or even the "experts", social workers etc., who may have learned about child rearing from a book, have no more right to tell me how to raise my kids than I do to tell you how to raise yours. To imagine that you or they have the best interests of my children more at heart than I do is the height of arrogance.

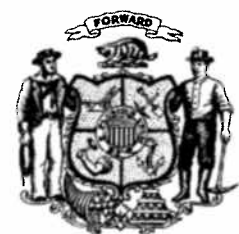
The only proper role for the state in these situations is to insure that both parents rights are equally protected and that is what this bill is designed to do. I urge this committee to put aside partisan differences and pass AB-897 unanimously.

Thank you

Steve Blake
2863 2nd Drive
Oxford WI 53952



WISCONSIN STATE LEGISLATURE



Erik Hadland's remarks on AB-897 before the Wisconsin Assembly Family Law Committee on 2006-02-22. I am here to speak out in support of AB-897, and of the importance of physical placement, specifically for victims of parental alienation syndrome (PAS).

To the best of my understanding the main purpose of AB-897 is to modify and define the terms of statute 767.24(4)(a)2, so physical placement can be divided as equally as possible between both parents initially or by modification motions. Present statutory language, such as 'regularly occurring, meaningful periods of physical placement', plays little role in the placement schedule, so the secondary parent, under 'best interest of the child' judicial discretion, does not receive equal constitutional protection. In the 2005 Landwehr case, the secondary parent used Webster's and Black's Law Dictionary to define 'maximize'. AB-897 defines terms to restore lost rights to secondary parents and their children.

Clearly written legislation, in my experience, can serve to protect the communal rights of the child and his secondary parent by restraining the court. In 2004, my boy's guardian ad litem (GAL), despite recognition that joint custody was in the best interests of the child, recommended that the court grant sole legal custody to the mother because "the parties will not be able to cooperate in the future decision making required under an award of joint legal custody." By citing WI statute 767.24(2)(c) "The court may not give sole legal custody to a parent who refuses to cooperate with the other parent if the court finds that the refusal to cooperate is unreasonable." we were able to change the recommendation to joint custody by the GAL who was until then unaware of 767.24(2)(c).

The GAL and court in my boy's case did not presume that maximized or equalized placement with each parent was in the best interest of the child. Instead the GAL presumed status quo or first-dibs placement, even though the residence was the final destination of an international parental abduction. As in my case, the 2005 Landwehr case presumed the children's best interests were being served without equal placement partly because the children were doing well in school. On the contrary, I support the provision that equal placement, as well as joint custody, is presumed to be in the best interest of the child, and I support the provision eliminating the presumption in favor of continuity.

The passage of AB-897 is especially important to me because physical placement is the exclusive PAS remedy; it is the sole tool to break a parental monopoly. PAS is a childhood disorder marked by the child's unjustified campaign of denigration against a parent. Joint custody is nominal and ineffective as a remedy to this disorder. (Hadland)

I would support clearly defined terms in the statute. Both AB-897 and SB-586 use the phrase "equalizes to the highest degree possible", which still has some ambiguity. A GAL or judge could argue that placement with the secondary parent is not possible because then the child could not engage in activities preferred by the primary joint custodian. Judicial discretion can be exceedingly unpredictable and capricious. Placement equality would return proportional joint custodial decisions to the less preferred parent. Equality in physical placement enforces equality in joint custody.

I suggest that the phrase "equalizes to the highest degree physically possible" is more explicit. I would propose to define the term 'equalizes' by setting tolerances, such as 50/50 +/- 5% for parents who want equal placement. I saw no provision in AB-897 which addresses refusal to mediate. I also propose that PAS and this legislation if approved be included in training or continuing education for judges and GALs.

Following abuse allegations, the PAS alienated parent is presumed less fit by a court, which can limit placement by claiming to err on the side of safety for the child. I would argue that both parents are presumed to be equally fit and important, and worthy of having placement unless proved, not alleged, otherwise. There is no statistically significant study showing either mothers or fathers are more likely to engage in domestic violence (Hadland), nor is there convincing evidence that a mother's parental contribution is more valuable than that of the father. Parenting plans and parental fitness tests are appropriate in my opinion, provided they weigh maternal and paternal contributions equally.

Source cited: Hadland, Erik (2005). *Parental Alienation Syndrome Techniques of Research: Pastoral Guidance for Wayward Kids*. Kokushikan University Society of Liberal Arts, 30(1): 73-100, November.



Dicks, Jacque

From: moms43place [moms43place@yahoo.com]
Sent: Wednesday, February 22, 2006 11:27 AM
To: Rep.Owens
Subject: AB 897 today at 1:00 pm - My testimony

My name is Theresa Rosen. My son has been in family court for 3 years, and has spent over \$20K in legal fees, etc. Nothing has successfully protected my granddaughter. Let me tell you my story. He's going to tell you his.

When the mother broke off the engagement on June 13, she refused to allow my son to have time with his baby daughter, born April 8, 2003, until they had a hearing with the family court commissioner two weeks later.

In La Crosse county, separating parents are given a pamphlet about custody arrangements. The pamphlet was written by the family court commissioner Roger LeGrand but is taken word for word from the work of clinical psychologist Kip Zirkel of the Family and Childrens Center. This pamphlet IS Tender Years Doctrine couched in primary care language, which is usually given (98% of the time) to the mother. It gives 90% of time to primary care taker until age 6. Anyone who has been to college has taken Psychology 101 and knows a child's bonding occurs in the very beginning of the baby's life. Zirkel's recommendations essentially create a bonding with the mother and make the father an unessential person.

When my granddaughter's mother broke off the engagement, she, her sister and sis's fiance filed false accusations against me and my son with Child Protective Services. The mother and cohorts claimed I had sexual misconduct with her 3 year old son. CPS listened entirely to the mother and her sister and sis's fiance. They did not check out my credentials as a substitute assistant at the public schools, the parents of children I cared for, nor any of my references. In their final report the case worker said there was no evidence of abuse or neglect, but went on to say that my son should take extreme caution when he had his daughter around me. The case worker did not mention that these two women have made reports against their dad and grandfather, then rescinded them, or that there's a psychological report about this the clinical psychologist who handled their cases. Nor did the case worker mention that the mother/sister/fiance filed this false report 2-1/2 months after they said it occurred, that it was right after the breakup, and 2 weeks before the parents went before the family court commissioner. Nor did the case worker mention all the times I have taken care of mom's and sis's children since they said the event happened. Nor did CPS mention the mom's and sis's threats to me, my son, my other son in Indiana, and my ex-husband, and the continued harrassment from them. The mother has since used the CPS report and her false accusations in family court and in circuit court and keep spreading them around town.. The mother and sister attempted to create another incident of child abuse when mom again made a motion for sole custody. Since mom and sis don't have any money, to clear my name I will have to spend over \$20K in legal fees, and I will see no compensation nor will these women and the fiance see any criminal charges for their slander and libel.

Mom and sister have each had 2 abortions and 3 children out of marriage. They don't want to work. They get welfare and child support. They have been able to manipulate the system to avoid the W-2 reforms. Mom (and sis) are now working part ime because they have to return the money they got through fraudulent checks or go to jail.

Mom (and sis) has always been irresponsible, unnurturing, and been involved with unsavory and at times dangerous men, with whom she brings home. She has taken off with my granddaughter to meet a guy she met on the internet, leaving my son and me with her 4 year old son, b ut did not give us an emergency number to reach her. She has not advised my son when transferring his daughter to him

02/22/2006

that his daughter is on an antibiotic. When the baby was 3 months old she landed in the hospital with horrible blisters all over her little body, she had a seizure. The doctor couldn't figure it out, until my son found out that mom and her son had scabbies. My granddaughter was born with restrictive airway disease (which is caused by the mother's smoking during pregnancy), yet I'm sure they still smoke at home because I have smelled the smoke in my granddaughter's hair and clothes. My granddaughter once had what looked like a cigarette burn under her chin. I have seen the mother's son with bruises all over his body, and mom would say "Oh, he fell or ran into a door, and I had taken him to the doctor and the doc said he was okay." The mother once told my son that the guy living with her and father of her latest child had t hrown her son across the room. My son had recorded the conversation. He called his attorney who told him to call the GAL, the GAL said it wasn't his concern, and my son took it to CPS who said they couldn't investigate because they couldn't prove the man was living with mom. In other words, no one in authroity was concerned about this little boy's welfare. This man has one child in custody of the mom and 2 under guardianship by his parents because of his drinking, bipolar, abuse issues, DJIs with his children in the car. This past summer mom brought home a guy from the bar (she's pregnant) for sex who had a history of drugs and child abuse; the sister picked up the dad to be at a bar and brings him to her sis's house, and the guy knows to go into the bedroom window, and slugs the guy she is having sex with. This man went to jail and then to VA for treatment of bipolar, anger management, alcoholism. Sister came with her own boyfriend who had a history of drugs, while she was pregnant with another man's child, while she was married to someone else. This summer at the GAL hearing before the FCC, the FCC said it was okay for this man to live with my granddaughter's mother, even though he had just gotten out of the VA for alcoholism, bipolar, abuse., and his own children haven't been returned to him.

My granddaughter's mother was in criminal court this summer for fraudulent checks, which included her sister and a minor whom they told wouldn't get in trouble because she was a minor. Nothing was done to these adults for their getting a minor involved in their crime.

One day I had my granddaughter when mom had to visit teachers and dad was at work. It was mom's day to be with daughter. Mom brought my granddaughter in urine-soaked, mildewed clothing. This was February. The baby was sick and&n bsp; on medication and nebulizer. While mom was gone I had to give my granddaughter a treatment, which I was familiar with. Afterwards, my granddaughter started having trouble breathing, so I called 911; the paramedics where at my house in 2 minutes. They said my granddaughter needed to be seen by a doctor and they wanted to transport her to the emergency room, because my granddaughters lungs sounded horrible and her lips were cyanotic. They called my son for permission to transport, because he was the quickest to be reached. My son had me go along with his daughter. When mom returned from school, she was outraged that she wasn't called because it was her time to have custody and she didn't want her daughter in the emergency room because this was her time with her daughter. When mom talked to the nurse on the phone, mom was so outrageous that the nurse called for a social worker to meet mom at the hospital doors. The social workers cou ldn't calm mom down.. Mom took daughter from hospital and filed a report with CPS against me, saying this was an ordinary event with her daughter that could be handled at home, and CPS bought mom's story again and never checked with the hospital or paramedics. I had 2 sons with asthma, and now my graddaughter has reactive airway disease, and I've taken care of mom's son who has asthma. I have had 2 years nursing. I know what is in normal range and what is dangerous. Besides that the paramedics themselves wanted my granddaughter to go to the hospital emergency room to be checked. And CPS believed mom?????!!!

On another occasion, her live in boyfriend wole up not knowing where he was, who he was, or who the people were with him. He went by ambulance to the hospital. He was released the next day. Apparently, this is some disease that runs in the males of his family. The day he return ed from the hospital, my son and I were returning my granddaughter to mother, who was being handcuffed and put into a police car. Mom wanted the boyfriend to take care of her son!!!!!! My son contacted the boy's dad, and dad went to the police to get his son.

My son, who is a great father, and has had a stable job since high school, and has graduated from

college, has attempted to get sole custody of his daughter because of mom's irresponsibility, the dangers mom's behavior poses to his daughter, and the dangerous men in mom's life. My son sought the mother to have therapy because she does have serious emotional problems. But the Healthy Families social worker had sided with mom from the beginning, being very prejudicial against dad. This woman has made prejudicial remarks in front of others Kip Zirkel, who was the clinical psychologist used by the GAL, works with this HF social worker. The GAL never has written a favorable recommendation on any father. The family court commissioner has, from the beginning, ignored the U.S. constitution, state constitution, state statutes, to favor mom. The GAL, at the recommendation hearing, made mom out to be the perfect mother, and made my son and me to be the cause of all of the mother's problems, including her depression, which mom had before she even met my son. The GAL literally just used all the mother's lies for his recommendations; did not ask us about things she said about us. My son and I had hard evidence on mom's behavior and lies, and the GAL didn't touch them. We also had evidence to prove my son was lying to him about us. Before the hearing before the FCC, the GAL literally threatened my son and then again in court. Thank God, my son had paid for a court reporter at this hearing, which the GAL, the family court commissioner, were angry about. My son's attorney dropped him as a client because my son wanted a court reporter at this hearing/

My son's attorney was reprehensible, and I hope my son goes through with the malpractice suit against him. All this attorney did was to tell my son he shouldn't file this motion or that because: the family court commissioner will think him vengeful, because the FCC doesn't like that, because I know the CAT team and you will probably lose the time you have with your daughter. Because I have a paralegal background, albeit 30 years ago, I called the attorney on his negligence, not doing his job, not defending my son for which he was being paid. The attorney quickly got my son to have me not attend any more meetings or hearings, totally brainwashed my son with fear, and would shoot a nasty letter back within 24 hours (although it could take him over a week to get back to my son on an urgent matter).

We need AB 897 so fathers don't have to go bankrupt or use their children's college funds up to defend themselves or to get equal time with their children. I have known many good men/fathers who have been denied equal time or sufficient time with their children because mom wants the child support, because mom wants revenge, etc. The attorneys like the joint custody--it gives them lots of business. The state likes joint custody because for every dollar it brings in through child support the state gets so much back from the federal government. We need to protect our children, and the AB 897 will help with that.

Respectfully yours,

Theresa Rosen moms43place@yahoo.com
608 787 8578

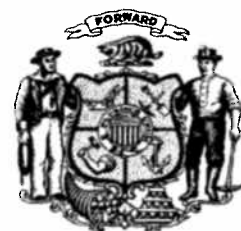
Theresa Rosen
moms43place@yahoo.com

Yahoo! Mail
Use Photomail to share photos without annoying attachments.

02/22/2006



WISCONSIN STATE LEGISLATURE



Public Hearing of 02/22/2006

My testimony today before you is similar to every father or parents who have seen the parental right strip off by the court system. I began by the night of March 25, 2005 when I was woke by the police around 1:00 o'clock in the morning handcuff and taking to jail because my wife after marital disagreement during the day. Since that day I have not been able to see or talk to my 3 year old son until the hearing a month and half.

At the hearing, the court commissioner gave the primary placement to my wife with 3 hours visitation Tuesdays and Thursdays for me and every other week end. Considering I was leaving in Milwaukee and my wife move to Sun Prairie, we both have to drive and meet on highway (F) by Xonia to do the exchange. After taking the child, I have to drive 25-30 to Delafield the closest town to spend an hour at the library, then drive to Pewaukee for an hour at the public park and have diner with him before I go to drop him off. This schedule was very hard on the child and I could not spend quality time with him by being on the road all the time.

I then file a De Novo motion for the judge to review the schedule, fortunately, for me, the judge adopt a schedule. My ex-wife was not happy with sharing the placement time with me because on one hand she sees her child support reduce on other Dad get a little more time with he son.

For what I consider my constitutional right as citizen and as father, it cost me so far \$12.000 legal fee, emotional stress and event my job to obtain it. After put myself throughout college, I had my dream job with the university I scarified that job to move back to Madison so I can be part of my son life.

I have involved with social organization such as the 100blackmen of Madison, the rotary club etc.... we have a mentoring program to match a professionals with children of low income family. It broke my heart to see that these children do not have a fathers figure in their life and growing fatherless had a huge impact on their life.

Today, the gender biases and the court system are having a huge impact on the children of divorce parent. Life at the edge of the twenty-first century is challenging enough; Children of divorce hardly need to deal with their parent inability to make the shift from being spouses to parenting partners. Because of the child, they destined to participate in lifelong relationship. This bill is pass will encourage the parent to cooperate and provide a better future for our children.

I asked you today to pass this bill and you will make a difference in Million of children life.

Thanks

Yacouba Traore
2126 N. Hi Point
Blw W. 53208





5746 Weis Road
Waunakee, WI 53597
February 22, 2006

Assembly Committee on Family Law
State Capitol
Madison, WI

Dear Carol Owens and Committee Members:

I am a retired professor who has been closely following family law in Wisconsin for 20 years. I urge you to support this bill.

I am here because I see children who hunger for significant and meaningful time with their fathers and I see Wisconsin fathers who are ready and willing to be an equal parent in their children's lives. Yet both these children and dads are prevented by blatant gender discrimination.

When a marriage fails, it is currently state policy to favor the parent who wants to claim sole ownership of the child over the parent that wants to continue the involvement of both parents.

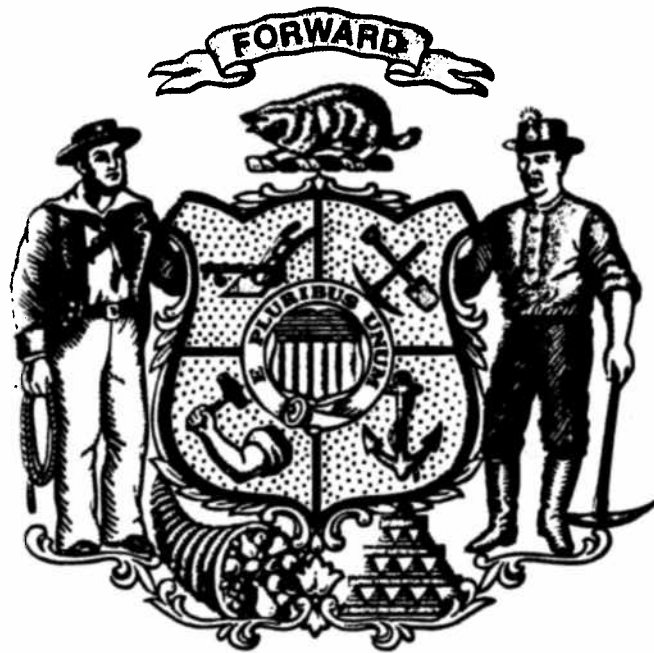
It's that flawed policy that led to the creation of AB 897.

Are we worried that Wisconsin children will suffer from two equally involved parents? From too much parenting?

It's high time we eliminate this in-state bigotry. It's our children who suffer when they are cut off from their fathers. They are twice as likely to become criminally involved, fail grades and drop out of school, and be involved in an unwed pregnancy. 87% of Wisconsin juvenile delinquents are a product of a father-absent home. Every pathology our children can suffer, they suffer with greater frequency when dads are absent from their lives. And it's preventable. Passing Ab 897 will be a step in that direction.

Sincerely,


Clair Wiederholt



Liedl, Kimberly

From: 50-50Dad@wi.rr.com
Posted At: Friday, March 10, 2006 7:44 PM
Conversation: Senate Bill 655 Let's Walk the Walk
Posted To: Sen.Zien
Subject: Senate Bill 655 Let's Walk the Walk

10th March 2006

Dear Senator,

It is with interest that I watched the passage of Senate Bill 655. "relating to: special joint legislative committee on strengthening Wisconsin's families." It was introduced on 3rd March 2006 and was read for the third time and passed on 9th March 2006 – *six days!*

I also note in this bill that issue 5 is "*Child support and custody issues involving Fathers, for the purpose of ensuring that Fathers are appropriately engaged in the lives of their children*".

It was with interest that I watched the passage of Assembly Bill 1026 made it to the assembly floor on 9th March 2006 also, taking about 3 weeks. AB1026 is about keeping Military Fathers involved in their children's lives after their active duty concludes.

AB1026 and AB897 had a public hearing on the same day. AB897 is an equal parenting bill. AB897 is being left behind, and I'd have to conclude, *on purpose*, yet it walks the walk that SB655 talks the talk about. Is it only Military parents that should have their relationship with their children protected?

In a speech given by First Lady Laura Bush at last years National Fatherhood Initiative Awards:

"The evidence is clear: Children need fathers in their lives"

The evidence is all around you. Just released on 9th February from the Office of National Drug Control Policy – Executive Office of the President is a damning report on Girls and Drugs. ***My daughter is 5 ½ years old.*** It can be viewed at http://www.mediacampaign.org/pdf/girls_and_drugs.pdf

You talk about laws to "strengthen Wisconsin Families", yet you sit on bills that strengthen a Fathers participation in his children's lives.

And just how is a father who is ordered into 'visitorship' (no matter what it's called semantically) by the family courts and only allowed to see his daughter/son a few days a month supposed to regularly monitor or influence that child's development?

Children with "hands-on" fathers (fathers who are involved, set reasonable household rules, monitor TV and internet use, etc.) are much less likely to use drugs than children with "hands-off" or absent fathers.

**Source: The National Center on Addiction and Substance Abuse at Columbia University.
*"National Survey of American Attitudes on Substance Abuse VI:***

Fatherless children are at a dramatically greater risk of drug and alcohol abuse, mental illness, suicide, poor educational performance, teen pregnancy, and criminality.

Source: U.S. Department of Health and Human Services, National Center for Health Statistics, Survey on Child Health, Washington, DC, 1993

Even though SB655 passed through the Senate in 6 days, the equal parenting companion bill to AB897 – SB586 is stalled in the Judiciary Committee. AB897 is stalled in the Rules Committee.

These bills walk the walk.

With the reality of how children have been denied their fathers, and fathers have been denied their children systematically in the family courts for years on the backside of no-fault divorce, the legislation pending in Wisconsin that would protect the parental rights of BOTH mother AND father are critical protections for the children of divorce.

Now the question is, do the public policy makers in Wisconsin truly care about the children and families, and do they acknowledge with more than lip-service the critical importance of fathers right alongside the same importance of mothers to ensure the healthy development of Wisconsin children?

Or do the lawmakers prefer to keep the Unequal parenting laws in place?

From our own backyard comes the following 1997 study:

Marygold S. Melli, Child Custody in a Changing World: A Study of Postdivorce Arrangements in Wisconsin

*“The equal time arrangement families appeared to have sorted out this arrangement fairly amicably. **The unequal time families were much more likely to have reached such a compromise after protracted legal conflict. This group also had the highest incidence of returns to court of any of the custody arrangements in the study**”*

The typical court order is a standard cookie cutter, it is predictable, it is unequal, it is discriminatory, the mother gets primary placement, the father is a visitor, the mother gets the child support, the children are caught in the conflict and the **billion dollar divorce industry grows fat on the misery of children.**

There has never been a better time to make good laws. The silver platter of AB897 and SB586 is being held out to you and waiting for laws makers with integrity to enact.

You’ve proved you can push bills through quickly; now prove that you care about children having Fathers in their lives. First Lady Laura Bush does.

Let’s put our children first; let’s remove the hurdles preventing Fathers from being in their children’s lives, let’s make good law.

Let me protect my daughter from drugs; remove my visitor status so I can parent my child!

Yours Sincerely

Peter Kerr

The Honourable Father of my daughter, MP (Male Parent)
50/50 Parenting will happen!

1-877-5050-Dad
5050Dad@gmail.com



MAR 28 2006

From: Joseph C. Vaughn
313 Higgins Dr. #24
Evansville, WI 53536
Tele: (608) 882-5905
March 18, 2006

Re: Senate Bill 586/Assembly Bill 897

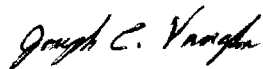
To: Senate Judiciary, Corrections and Privacy Committee
Dear Senators Zien; Roessler; Grothman; Risser; and Taylor

I'm writing to persuade you to strongly support SB 586, a family law proposal up for an imminent hearing in your committee.

As you well know, this child placement reform effort has been thoroughly researched and long considered by your colleagues in the legislature. The purpose of this Bill is to eliminate, as much as possible, the terrible bias that takes children away from their fathers and to encourage, as much as possible, the fair and full involvement of both parents in the lives of children in paternity, divorce and never-married situations. Safeguards in current law designed to protect children from parental neglect, violence or abuse of any kind remain completely intact in this proposal, and are available at full judicial discretion in the family courts.

Please review all aspects of this very worthwhile reform on the website of Legislation For Kids And Dads at www.wisconsinlkd.org . Once again, I urge you to approve SB 586 as soon as possible, to benefit children of non-intact families who, above all, need more parental and family involvement in their lives.

Sincerely,



Joseph Vaughn



Liedl, Kimberly

From: Hogan, John
Sent: Friday, April 07, 2006 11:36 AM
To: Liedl, Kimberly
Subject: FW: sb586

From: Eastlick Jeremy A Sra 115FW/DOL [mailto:jeremy.eastlick@WIMADI.ang.af.mil]
Sent: Wednesday, March 22, 2006 5:13 PM
To: Sen.Zien
Subject: sb586

Dear Sir,

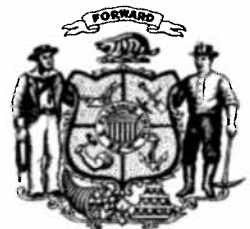
In regards to senate bill 586, equalization of placement, I am curious as to why the Committee on Judiciary, Corrections and Privacy has yet to send this bill to the floor. I feel that this bill is important. As a father with visitation, this bill would allow me to provide physical, emotional, developmental, and financial support directly to my child. This would be preferred over sending child support and knowing my daughter's mother is using it to pay her cell phone bill instead of providing for the needs of my child. This bill would provide more of a level playing field for both parents. As it is, the rights of the mother are often times placed ahead of the father's and we are left with only a few weekends a month and a couple weeks out of the summer. In conclusion, I believe that a reasonable person like your self can see that such a bill would be in the best interest for the children of Wisconsin and I have no doubt that you will do what you can to send this bill out of committee as soon as possible. Thank you for your service.

Sincerely,

Jeremy Eastlick



WISCONSIN STATE LEGISLATURE



Liedl, Kimberly

From: Sandvick, Doug
Sent: Wednesday, April 05, 2006 10:52 AM
To: Liedl, Kimberly
Subject: FW: SB 586

He's from the Lake Holcombe area--I think.

From: James Zanto [mailto:zantojw@yahoo.com]
Sent: Monday, April 03, 2006 11:27 AM
To: Sen.Zien; Sen.Roessler; Sen.Taylor; Sen.Risser; Sen.Grothman
Cc: steveblake53@yahoo.com
Subject: SB 586

To: Senator Dave Zien Chairperson, Senator Carol Roessler, Senator Lena Taylor Senator Fred Risser, Senator Glen Grothman, Judiciary Corrections and Privacy Committee

From: James W. Zanto, Loving Father to Ben Zanto (age 9) Sophia Zanto (age 7)

Regarding: SB 586Hearing on April 6, 2006

Senator Zien, Roessleer, Grothman, Taylor, and Risser:

I will count this as one of the most important emails that I will write in my lifetime, I wanted you to know that up front. I also want you to know that I have tried everything I could to get this message to you in person on April 6, but there is just no way that I can be there due to something out of my control that can't be rescheduled.

I wish this email to be included as testimony in the record of the SB 586 Public Hearing. First, I want to take this time to personally thank you for scheduling the Public Hearing on SB 586. That action alone tells me that you believe that this is an important issue that faces parents both mothers and fathers who share placement of their minor children after divorce.

I wish to urge all on the Judiciary Corrections and Privacy Committee to vote for passage of SB 586. I believe that a vote of support will be a vote for our children. I believe that a vote of support will be a vote that will give courts much needed and long overdue guidance standard when the placement of minor children is decided. This legislation ensures that each parent is able to share time to the highest degree possible with their children. Each parent will be able to instill in their children the values that help to make Wisconsin a good place to live.

I realize that the parent that is impacted by an un-equal placement decision in most cases is the father. For me personally this has meant that I was not the one that taught my son Ben how to put a worm on a hook, or how to make a "pocket" in his pee wee league glove. I never got to show my daughter how to "whistle" through a blade of grass or help her learn to ride her bike.

This continues to mean that for the most part I will not be the one to help Ben with "fractions" or Sophia learn how to sound out words. I am sure you know that kids need two good parents in order to be the best citizens they can be. I just want to give you one more example on how this legislation helps kids,

6/6/2006

not from my life but a national example of credible research.

The January 30, 2006 Newsweek states, "One of the most reliable predictors of whether a boy will succeed or fail in high school rests on a single question: does he have a man in his life to look up to? Too often the answer is no. High rates of divorce and single motherhood have created a generation of fatherless boys. In every kind of neighborhood, rich or poor, an increasing number of boys-now a startling 40 percent-are being raised without their biological dads." (pg. 51)

I want you to know that I did not want my children to grow up learning that "Moms and Dads" fight all the time. So I ended our unhappy marriage. I want you to know that I take responsibility for what I did in the marriage death between myself and my children's mother. I also want you to know that the "price" that my children have had to pay is too high. The inability to see their dad is not good for them, and is certainly not "in the child's best interest." If you think "there must be more to this story" otherwise the court would have given you equal placement....You are wrong, I nor my ex wife for that matter have a "record" or a DWI or hardly ever even a speeding ticket. Yet, for a reason not understood by myself, I get to see the children substantially less time then their mother. The court has deemed this to be "in the best interest of the children." This is another reason that I urge you to support this legislation.

Finally, people will tell you that this takes discretion away from the courts to act in the child's best interest. I have read and re-read SB 586 and I find no such provision. I also want to point out that this bill gives no preference to one parent over the other but mandates that placement be equalized to the highest degree possible. SB 586 finally gives the courts a clear and consistent message: "Kids need both parents!"

In closing, I urge you to not only support SB 586, but to use your substantial influence to get SB 586 passed this legislative session. If I was at the hearing, I would look toward the committee and thank you for hearing a loving father's views on this issue.

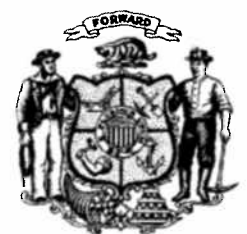
Sincerely

James W. Zanto

New Yahoo! Messenger with Voice. Call regular phones from your PC for low, low rates.



WISCONSIN STATE LEGISLATURE



Liedl, Kimberly

From: Hogan, John
Sent: Friday, April 07, 2006 11:30 AM
To: Liedl, Kimberly
Subject: FW: sb-586

-----Original Message-----

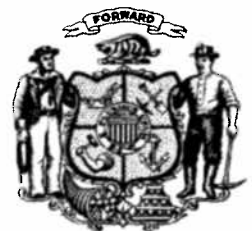
From: cherylhullwichmann [mailto:cherylhullwichmann@charter.net]
Sent: Tuesday, April 04, 2006 8:18 PM
To: Sen.Zien
Subject: sb-586

I, cheryl hull, am in support of sb-586. i live at 502 bly st in waupun wi at 53963 and can be reached at 920-382-5468.

--
No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.1.385 / Virus Database: 268.3.5/301 - Release Date: 4/4/2006



WISCONSIN STATE LEGISLATURE



Liedl, Kimberly

From: Hogan, John
Sent: Friday, April 07, 2006 11:42 AM
To: Liedl, Kimberly
Subject: FW: SB-586

no name or address

From: Underdogue@aol.com [mailto:Underdogue@aol.com]
Sent: Wednesday, April 05, 2006 2:10 PM
To: Sen.Zien
Subject: SB-586

Dear Senator,
I am writing to register my opposition to SB-586.

I am a single, never-married father with primary placement of my 4-year-old son. When I took placement, the court enacted my parenting plan - which provided for Mom a very liberal placement schedule of every weekday afternoon for 5 hours, plus alternating weekends and holidays, plus vacation time in the summer. Over the past three years, this arrangement has resulted in nothing but problems for both my son and myself. My son has been manipulated and used as a pawn in an ongoing vendetta against me. I have been the victim of false allegations of abuse, false statements to police officers, ridiculous allegations that my then 3-year-old son needs psychotherapy, and far, far more.

From my experience, I have come to see that the notion of shared placement/equal placement --at least in my case -- is clearly not in the best interests of the child. To this day, my son seems to have no consistent concept of "home." It is only "your house" or "mommy's house". I've seen how one party can use her parenting time to psychologically manipulate a child in insidious ways. I've seen my efforts to instill in my son a love of learning and appreciation for his school thwarted constantly. Worse yet, I've seen my relationship with my son repeatedly and consistently undermined through manipulative games played by his mother and her husband.

Each case is different, and I'm sure there are cases where the notion of shared placement can work. But it is a complete disaster in my case and the results have been absolutely heartbreaking.

I believe that Wisconsin's statutes already state that the courts are to make rulings that maximize the time a child spends with each parent, given the circumstances. It strikes me as blind folly to enact a law that *mandates* equal placement time, without regard for the unique circumstances in every case.

Just my opinion.

- J. Lazo



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TO: Senate Committee on Judiciary, Corrections and Privacy

FROM: Bob Andersen *Bob Andersen*

RE: Senate Bill 586, relating to: preparing and filing parenting plans, equalizing periods of physical placement to the highest degree possible, using parenting plans to determine periods of physical placement, and modifying physical placement and custody orders.

DATE: April 6, 2006

As I have testified on other legislation, we are in favor of the idea of having both parents share as equally as possible the responsibilities of parenthood after divorce. However, following are the problems we see with this particular bill:

- In determining the **amount of time** each parent has physical placement, the **only** factors to be considered are matters that constitute a **danger** to the **physical, mental, or emotional health of the child**. Unless one of those factors is **proven by clear and convincing evidence**, the child's placement **must be evenly divided** between the parents, **taking into account geographic separation and accommodations for each parent**.

[REDACTED]

- [REDACTED]
- the interaction and relationship of the child with the parents or siblings
- the amount of time and the quality of time each parent has spent with the child in the past, any necessary changes to the parents' custodial roles and any reasonable life-style changes that a parent proposes to make to be able to spend time with the child in the future

[REDACTED]

- the need for regularly occurring and meaningful periods of physical placement to provide predictability and stability for the child

[REDACTED]

- the cooperation and communication between the parties and whether either party unreasonably refuses to cooperate or communicate with the other party



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- whether either party can support the other party's relationship with the child, including encouraging and facilitating frequent contact with the child, or whether one party is likely to unreasonably interfere with the child's continuing relationship with the other party
 - whether either party has a significant problem with alcohol or drug abuse (except consumption that rises to the level of endangering the physical, mental or emotional health of the child)
 - the reports of appropriate professionals if admitted into evidence
2. Under the bill, the court must otherwise consider the *parenting plans* of each parent, but since the amount of time is set as indicated in par. 1 above, presumably the court would be looking at the parenting plans only to decide *how to arrange a set number of hours* between the parties, unless one of the factors regarding danger is involved.
 3. The *parenting plan* must be *filed* before the *first appearance* before a court or court commissioner, and a party who fails to meet this deadline *may not object* to the other parent's parenting plan. Under current law, a parenting plan must be filed before the *pre-trial conference*. Under current law, parties are told about the need for parenting plans at their first appearance or by mediators. *Under this bill, how will a person know he or she is supposed to have a plan by the first appearance?* The bill could be amended to require that this be placed in the summons, but how many people will either understand this or be prepared? **In Milwaukee County, in 50% of the Actions Affecting the Family there is no attorney on either side. For the remainder of the cases, there is an attorney on only one side in half of those cases. Consequently, the vast majority of people are either going to have no idea about this requirement or they are going to be put at a disadvantage, because they will be pro se, while they will be facing an attorney on the other side.**
 4. The *guardian ad litem* is supposed to make recommendations only about what the court may consider -- i.e. (1) danger to the physical, mental or emotional health of the child in determining the *amount* of physical placement for each parent and (2) the parenting plans of the parents, for determining, in addition, *how to arrange those hours*. Under current law, the GAL makes recommendations concerning the best interest of the child, but not under this bill -- unless the child's physical, mental or emotional health is at stake.
 5. The bill deletes from current law that the GAL "may consider the positions of others as to the best interests of the minor child." This, presumably, excludes expert witnesses.
 6. Similarly, a *mediator* is limited to what the court could consider: 1) danger to the physical, mental or emotional health of the child in determining the *amount* of physical placement for each parent and (2) the parenting plans of the parents, for determining, in addition, *how to arrange those hours*. The mediator is supposed to encourage agreement of the parties, but the mediator may only approve agreements that are consistent with these two purposes. Under *current law, a mediator is guided by the best interest of the child* and may approve agreements that are in the best interest of the child.



Family Law Section

 State Bar of Wisconsin

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Kelly A. Welsh
Wessel, Lehker & Welsh Inc

Janice K. Wexler
Scheffer & Wexler SC

TO: Senate Committee on Judiciary, Corrections & Privacy

FROM: Atty. Thomas R. Glowacki, Immediate Past Chair
Family Law Section
State Bar of Wisconsin

DATE: April 6, 2006

RE: Senate Bill 586

The **Family Law Section** (*State Bar of Wisconsin*) **opposes** Senate Bill 586, which proposes drastic changes to the manner in which legal custody and physical placement decisions are reached by courts in actions affecting the family across Wisconsin. This legislation shifts the focus from protecting and promoting the best interests of children by limiting the factors for consideration to parenting plans, geographic distance and household accommodations, which represent only a few of the many predictors indicative of positive child adjustment when the parents are living in separate households.

Children living with separated parents, whether as a result of divorce or paternity actions, are the most vulnerable players in custody and physical placement determinations; they represent a class of citizens with a need for special protection. Public policy requires that there must be a special "child focus" when the courts decide custody and physical placement matters, and current factors that must be considered by the court under Wis. Stat. § 767.24(5) have been developed over time to maintain the focus on children involved in these matters by requiring consideration of a wide range of items that are important to the interests, development, adjustment and success of the children of divorced and never married parents.

Social science research indicates that geographic distance between the parents is only one of several important predictors of the success of children when establishing a child-focused physical placement schedule. Other critical factors include the level of conflict between the parents, the ability of the parents to cooperate and communicate with each other for the benefit of their children, frequency of prior contact and involvement, the quality of parenting of each party, the age and temperament of the children, and mental health of the parents.

State Bar of Wisconsin

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SB 586 prohibits consideration of those important factors which are currently incorporated into Wis. Stat. § 767.24(5) unless a very high standard of showing endangerment of physical, mental or emotional well-being is met. Failure by the court to consider all of these important factors when deciding custody and placement results in a disservice to the children whose interests need to be protected.

Rather than requiring the court to focus on factors that are highly relevant to the successful adjustment of children, the bill limits the court's consideration to parenting plans prepared by the parents during what is likely a very emotional time in their lives and when conflict may be high. What may be best for the children in terms of ensuring their positive adjustment during and after custody and placement disputes may not be reflected in the wishes of both or either parents; similarly, either or both parents may be motivated by factors other than their child's well-being. Further, the bill provides little guidance for courts if one or both parents fail to submit a parenting plan, if the parties disagree on custody and placement issues, or if a parent submitting a parenting plan submits little meaningful information.

All too often, parents cannot appreciate the effect that endless litigation has on their children. The legislation's repeal of Wis. Stat. § 767.325(1)(b) will result in increased and expensive litigation. The substantial change of circumstances rule was first created by the court in *Marriage of King*, 25 Wis. 2d 550 (1964). The requirement to show a substantial change in circumstances two years after entry of an initial order and the presumptions to maintain current custody and placement arrangements limits litigation and is good public policy.

In addition, the bill will shift the focus in courtroom battles to whether a parent's actions endanger a child's physical, mental or emotional health, thereby doing little to limit costly and time-consuming court fights and likely creating the need for experts to provide testimony on child endangerment.

Finally, SB 586 strips the court of much of its discretion to create physical placement schedules that take into consideration the unique circumstances of each family that comes before it. This discretion, coupled with the factors under Wis. Stat. § 767.24(5), allows courts to fashion custody and physical placement decisions in a manner consistent with promoting their ultimate well-being and successful adjustment to changing family dynamics.

For more information contact Jason Westphal, Government Relations Coordinator, at (608) 250-6077 or email at jwestphal@wisbar.org.

The State Bar of Wisconsin establishes and maintains sections for carrying on the work of the association, each within its proper field of study defined in its bylaws. Each section consists of members who voluntarily enroll in the section because of a special interest in the particular field of law to which the section is dedicated. Section positions are taken on behalf of the section only.

The views expressed on this issue have not been approved by the Board of Governors of the State Bar of Wisconsin and are not the views of the State Bar as a whole. These views are those of the Section alone.



Bryan Holland, Legislation for Kids and Dads, Testimony in Support of SB586
April 6, 2006

For every social problem in America, the number one predictor is the absence of a father. So, it is a great irony to me that the family court system works so hard to keep fathers out of the lives of children. Mom's and dad's make an equal choice to have children. It seems logical that they should both be equally responsible for the care of their children.

In Wisconsin, we have a system of no-fault divorce. This system has evolved into dad's-fault divorce. We blame and punish fathers and treat them like criminals. To simply punish the father and to take him out of the children's lives, or to make him a lesser partner in the children's development is bad public policy, and a reckless extension of government authority. What the government is doing by intruding in the private decisions of families is usurping the natural authority of the family, and authorizing lawyers, GAL's, judges, and social workers to do what's best for families. The outcome of a government that marginalizes families is obvious. Young men and women grow up with a dependency on government, believing that families are not important and become problems for society.

SB 586 is based on a very simple premise: If both parents are fit, and geographical separation doesn't prohibit shared placement, then the starting point for placement determination should be equality. The current system provides a means for the family court system to micro-manage families and creates an adversarial system where lawyers and courts always win, but almost always guarantee that children lose. When we provide a system that rewards conflict, we find families lining up to manipulate the system.

The concept of simply determining fitness seems repugnant to the family courts because they believe in a system where only lawyers know what is best for any given family. However, this seems quite reasonable compared to situations outside of the family court. When parents leave the hospital with a newborn child, do we assign them a GAL? ...A Social worker? No, we assume that they are fit parents. Even if a complaint comes into a social service agency and is substantiated, the government still has a hands off approach, unless the child is in immediate danger. Parents choose a mate, and they choose to conceive a child, and government has no reason to question their judgement.

Based on conversation I have had with attorneys, GAL's, mothers and fathers, most of the complaints against the other parents are trivial. The most trivial of allegations against a father will deem him unfit. But, only the most severe case of an unfit mother will even permit a court to give equal placement.

We will hear from the state bar that they settle 95% of these cases; however, what they don't say is that they get the fathers to settle through a process of threats, coercion, and intimidation.

We will likely hear a great deal of worst-case scenarios from the opposition as reasons why equal placement is impractical. It is important to keep in mind that we don't legislate to the lowest common denominator. Judges will still use their discretion in these cases, regardless of what the law states. We will also hear stories of bad people and why this law is incompatible with these cases. But keep in mind, that these examples are not so much arguments against shared placement as they are arguments against no-fault divorce.

Courts want absolute discretion. They believe that nobody should tell them how to do their job (especially the legislature). I don't think that lawyers are bad people; but they subscribe to a failed ideology... an ideology that believes that the courts know what is best for families. In fact attorneys have taken an activist approach when it comes to the law. In Keller vs. Keller the judge actually got it right, and understood what the language added by 99 Act 9 meant. However, the attorney for Mr. Keller intentionally left out the "maximizes placement" language, intentionally throwing the case for his client, and winning one for the greater good of family law. They effectively asked the Appellate court to make a decision about the current law based on the language of the old law, overturning the legislative intent of current law.

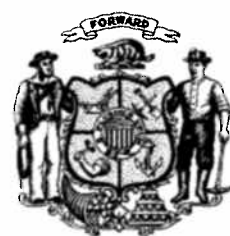
If the state bar was really concerned with the families of Wisconsin they would clean house, and ask OLR to take claims of bad GAL's seriously and hold attorneys accountable for unethical behavior. They will acknowledge that some problems exist, but state that this is a training issue. But no amount of training will solve these problems, because this is an institutional problem.

In determining your decision on this bill, you must simply decide do we want to do what is best for the attorneys of Wisconsin, or what is best for children. If you believe as I do that children are the most important, you will support SB 586

Please support SB 586



WISCONSIN STATE LEGISLATURE



Testimony of Katti Laack in **favor** of SB 586 the Equal Placement Bill
Given before the Senate Committee of Judiciary Privacy and Corrections
at the public hearing held on 4 /6/06.

Hi, I'm Katti Laack. You've already heard my sister testify in favor of this bill. Leah told you how our parents work together as a team to raise us. She told you about our Uncle Jim and cousin Mikala. She even mentioned some of our friends. So I won't tell that stuff over.

I have a step-brother, Troy and a step-sister, Bella. We live in the same town as their mom. My parents (mom and step-dad) used to be friends with their mom and her boyfriend. They all played horseshoes together, while we played together in Fireman's Park.

After my mom and step-dad got married, Troy and Bella began living with us more. They lived with us a week and their mom the other week. Our parents (my mom and step-dad) told us they went to a judge and worked it out with Troy and Bella's mom for them to be with us more.

My family isn't perfect. Kids don't always get along and we are no different. There are times when my brothers will disagree. There are times when my sisters and I will disagree. Our fights don't last long though, after all we are family and families gotta stick together.

A while later, my mom and step-dad told us that Troy and Bella would only be at our house every other weekend. We asked why. Mom just said the judge and others decided it was better if they did not come to our house so much. My sister and I cried. My brother was sad too.

I'm not dumb and it doesn't take a rocket scientist to figure out what happened. My mom always says, "You can pick your friends, but you can't pick your family." There are times that I want to get rid of my sister or brothers and can't. There are times when I am upset with my parents and want to trade them in for new ones and can't. How did my step-siblings get rid of us so easily? How did the judge let this happen? Why didn't the judge ask us what we wanted? Don't my sister, brother and I count for something? I don't get it. Doesn't the judge know all kids fight sometimes?

I read SB586 and asked questions about things I didn't understand. I like this bill because it will make parents share their kids more equally. It will

make sure that every kid is allowed to spend equal time with mom and dad. It will make parents act like grownups and share.

My sister, brothers and I are very lucky to have mom and dad in our lives. Our parents get along and work together as a team. We are proud to say our parents are best friends, even though they don't live together any more. I wish every kid had parents like ours. I wish every kid could be free to love all of their parents. I wish every parent could share the children like my mom and dad share us.

Kids need equal time with both parents. Dads can't teach daughters how to do their hair or make-up. Moms can't teach sons how to play football or work on cars. Making this bill a law will help kids everywhere.

Thanks for letting me be here and to watch how a bill becomes a law. I have learned a lot.