



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**
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- 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**

Committee Members,

I want to thank the 17 Representatives who introduced Assembly Bill 897 in December of 2005, and I would also like to thank the 4 Senators who cosponsored the bill. Every one of them should be proud of addressing the difficult issues that occur everyday in the Family Courts throughout Wisconsin. Thank you Committee Members for allowing us to discuss this important bill SB-586.

One of the greatest fears people have is the fear of speaking in public. For the Senators here in the room it is something you have become accustomed to. For the rest of us, it's something we would rather not do, but we have a great cause here today. We are here for our children who can't speak for themselves. I am here to speak for my son, Alex Mayer.

Alex is an intelligent, athletic, well-mannered 13-year-old boy. He attends 7th grade in a parochial school in Milwaukee County. This past semester he has excelled not only in academics with a 3.6 grade point average, but in sports such as football and basketball as well. He is well liked by teachers and fellow classmates. This can be partially credited to his upbringing by his mother and his father. I do believe Alex needs a mother and a father, and that unique contrast that each parent brings to him is important,

I am a good father who has always been actively involved. I have always encouraged and promoted education and sports for Alex, along with religion, family, friendships and everything else that helps make a person well rounded. Everyday we are together he learns something new. Early on, he and I would attend the bicycle races around the Milwaukee area. Every year we would attend the motorcycle and car races at Road America. I taught him how to ride his first bicycle, how to fish and ski. I helped him shoot his first basketball. We practiced soccer and baseball together, and I was the assistant coach. I practiced football with him and took him

to his first football camp. As a rookie last fall, late in the season, he was the starting running back with over 125 yards in each of 2 games. Currently, he is the point guard on his basketball team and the highest scorer. We play every sport together and then make up some of our own. I love him very much.

Unfortunately, I am not able to have the kind of meaningful relationship I would like to have with my son. His mother has been granted more placement time with him and has not allowed me contact with Alex unless it is my actual placement time. She also denies me the right of first refusal, and denies some phone calls between my son and I. This has led to confusion on my son's part and frustration for me. Alex is now seeing a psychiatrist, who is supposed to be an advocate for Alex, but isn't suggesting anything to stop his parent's behavior. If the language of **"maximizing placement time"** would have been better defined In July of 2002, when I went through my divorce, I would have been given the chance to have a better relationship with my son because I would have more time with him. With equal placement time, I'm certain that phone calls would be an everyday occurrence and both his parents would be forced to be flexible, without one parent thinking he is a possession. I'm also certain Alex would not be seeing a psychiatrist.

Today's bill SB-586, is trying to acknowledge that both parents play an important role in a child's upbringing and acknowledge that "equalization" of placement time with the child should occur. I know this change, along with a better interpretation of this bill by Judges, and others, will be better for families who find themselves in Family Court. **This bill will also provide a clear path for the family court commissioners and judges to follow when making placement modifications and custody orders, which is why most of us are here today.**

We desperately need the changes that have been introduced in this bill. The way divorced mothers, fathers and their children have been treated through the divorce process has been unfair for way too long. Apparently, the language in the state statutes has to be clearly defined, so that the lawyers, mediators, guardian ad litem, physiologists, psychiatrists, and judges have no more personal interpretation of this law. Parenting plans are still not being read in some cases. I went through three different pre-trials in 2001, and not once did the Judge ask for any parenting plan from either party. The current process is not what you should have to go through in order to have an opportunity to spend time with your children. This process is not acceptable and causes further damage to parents and children.

Most children will say that they just want their divorced parents to get along. They want their parents to remain friendly toward one another. This can happen with the passage of this bill. The wording and well-defined terms involving placement in this bill will take the emotions out of the interpretation of the law.

My Alex, along with other children in the same situation, don't understand why their fathers don't have the same amount of placement time as their mothers. By helping this bill become law, our Senators can help take out the bias that exists toward fathers and allow us to be involved in our children's lives.

We are teaching our children that there is gender bias in the courts. More often than not, mothers have more placement time than fathers. From the beginning of the divorce process, most men are automatically deemed the "bad guy". If you're a father and there is a custody dispute, too frequently your reputation is turned to mud. If you don't move out of the house, you risk having your wife calling 911, and having you arrested just because she can. She can make up a story and most will believe her because she is a mother. If you move out of the house, you're a bad father who

abandoned the children. You follow your attorney's advice because he tells you to trust him. You attend co-parenting classes so that your ex and you can try to work together for the benefit of your children. You accept anything your ex gives you or tells you because it's the right thing to do and you're trying to make things work. You are constantly under the microscope. You play by the rules and find out that it doesn't matter. The interpretation of the law is too open because the language is not well defined. After the divorce process is through, most fathers are left with shock, frustration, and loneliness, wondering what just happened.

I belong to a divorce group and we all agree that nobody knows what it's like to go through a divorce unless you have actually had first hand experience. It's an emotional and financial roller coaster ride. When it involves children, and a custody dispute, there isn't anything more important in your life. When you are told that the mother should have more placement time over the father, it is the ultimate rejection. You wonder where you failed.

I'm the youngest of ten children. I lost my father when I was 15 years old and one of my brothers when I was 40 years old. As important as my brother was to me, I had never experienced a loss as great as losing my father. I don't want my son to feel like he ever lost time with his father. I read that going through a divorce is like having a death in the family. I believe this to be true, I have experienced both, but with divorce and custody disputes, the suffering continues for years to come. It doesn't have to be this way SB-586 can change this by equalizing placement time between parents now and for parents making placement modifications. I love my son very much and want to spend more time with him as he does with his father. I'm missing out on some of the most crucial times of my son's life. I have been in his shoes before, as a young man, attending basically the same school, with some of the same peer pressures. My ex-wife can never step into his shoes. People frequently suggest that a teenage boy needs his

father more than his mother. I believe my son needs both his mother and his father, equally. Boys that are competitive know what is fair and what is unfair. I know how my son feels. I need the laws to change and then maybe I will have the courage to face the Family court system again to request more time with my son.

I hope at the end of the day, the committee members will understand why fathers in particular, would take time away from work, recreation, families, what ever it may be, to come before this committee today. It's about the kids and what we know is in their best interest.

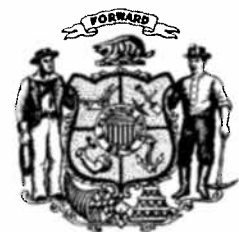
Thank you for your time,

John Mayer
5465 N 12Th St
Milwaukee, WI 53209

4/6/06



WISCONSIN STATE LEGISLATURE



to where they are going to be living. They are not in a position to tell the court what placement order is appropriate.

Also, the requirement would put respondents at a disadvantage. SB 586 requires the court to set a placement scheduled based upon the parenting plans. I can envision procedural maneuvering where the petitioner will serve the respondent at the last possible moment so the respondent does not have time to be prepared. Courts will use the petitioner's proposal because it is all they have or waste court time to give the respondent a fair chance to get a plan together.

The other concern I have with SB 586 is the post-judgment modification changes. It would remove the ability to bring a motion to change placement if there is a substantial change in circumstances and the change is in the child's best interest. Many things happen in a child's life that may require a change in placement. This will especially impact placement cases decided before the move to maximize the time a parent can spend with their children. What happens to the parent with less placement time who can make a good argument to change or increase time? That person's ability to ask for relief is gone.

Also, SB 586 would not allow a parent to ask to modify a shared placement order if it became unfeasible for the parents to continue. Parents change jobs. They are forced to move a significant distance to keep a job and the child has to travel each day to get to school. A parent's job hours change and they are not home during their scheduled placement time. What happens to children in these situations? Under SB 586 they would be stuck with the old order, driving great distances to get to school each day, not being able to participate in after-school activities because they would get home too late, spending time alone. Plain common sense says that a placement order that forces a child to get up at 5:00 am when otherwise the child could get up at 6:30 or 7:00 am is unfair to the child. The courts need some flexibility dealing with lives that are constantly changing. SB 586 would remove that flexibility.

Children are not furniture or pots and pans – spoils to be divided between the parents. Perceived "fairness" to a parent may in fact conflict with what is in a child's best interest. On a daily basis I ask myself, "How would a child deal with this placement order?" I believe that is the question a court should ask when making a placement order. SB 586 would prohibit courts from looking at placement orders from the child's perspective.

BWM:bms

Barbara W. McCrory
Family Court Commissioner
Rock County

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Anne Thatcher
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TO: The Senate Judiciary, Corrections and Privacy Committee

FROM: Barbara Ward McCrory
Family Court Commissioner
Rock County

DATE: April 6, 2006

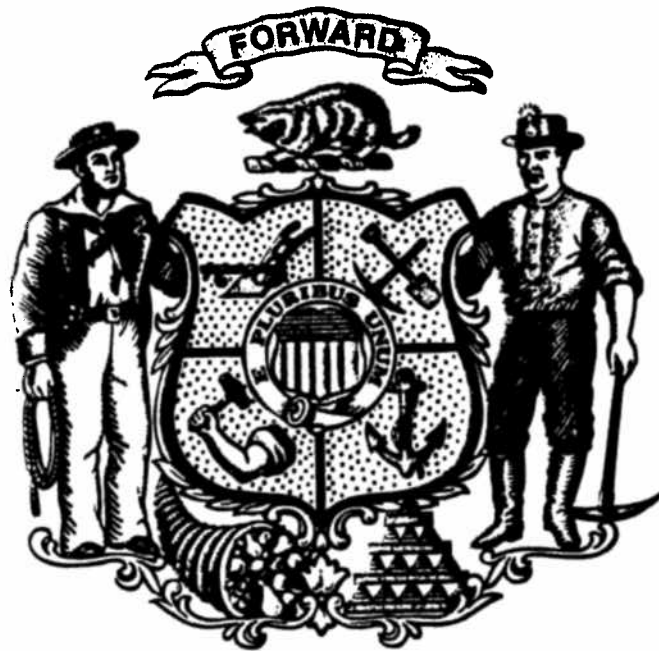
RE: Senate Bill 586

As a Family Court Commissioner I oppose Senate Bill 586. The legislation proposes major changes to the legal custody and physical placement laws that were overhauled a few years ago. As those changes become enmeshed within the divorce court system, I am seeing more placement orders that provide both parents with meaningful time sharing. This is accomplished without harming the best interest of the child. SB 586 would stop a court from considering a child's best interest when setting a placement schedule and replace it with the "best interest of the parent" standard.

For the past fourteen years I have been involved in divorce work, first as an attorney then as one of Rock County's Family Court Commissioners. During a divorce, most people are looking out for themselves. They are trying to figure out ways to get back at the other spouse for ruining their life. What many of them really want is their families back. If they cannot achieve that goal they strike out against the other parent. Parents going through a divorce have very real and realistic emotions. However, those emotions do not lend themselves to the selfless actions that parents must take to ensure their child's wellbeing.

In divorce actions, children are not parties; however, nothing affects them more than an order telling them how much time they will spend with their father and mother. The best interest of the child standard gives courts the ability to find out what the child wants and to look at any placement order from the child's perspective not the parents. It is the only time that the court will look at what is best for a child when the parents' judgment is impaired by their feelings of hurt and anger.

SB 586 requires parents to file a parenting plan before they appear for a Temporary Order hearing. This requirement is unrealistic. Often times parents are still living together when they file for divorce and appear for the first time. They have not given any thought



Testimony in Support of SB-586

4/6/2006

Tom Pfeiffer – WFCF Secretary

Members of the Senate Committee on Judiciary, Corrections, and Privacy: Thank you for hearing my testimony in **strong support** of SB-586.

I volunteer time as a phone counselor for WI Fathers for Children and Families (WFCF). A few weeks ago I received a call from a man who is the coordinator of the Community Safety Net Program, which is a part of the social services operation in his county in SW Wisconsin. He was wondering what programs our all-volunteer organization has available to promote **fatherhood initiatives**. He discussed the burgeoning problem he sees of children growing up without fathers and therefore without significant positive male role models. I turned the question back on him and asked what social services, a vast state-wide organization with significant financial resources, has done or could do to help keep fathers actively involved in their kids' lives. Sadly, little is being done by them.

We as a society seem unable to see the proverbial forest through the trees. Fatherlessness has become an epidemic problem in our state and the nation. There are countless statistics pointing to the problems children face when they grow up without a father. They exhibit significantly greater dysfunctional behaviors such as dropping out of school, teen pregnancy, criminal behavior, and mental health problems. More than three quarters of our incarcerated population comes from fatherless homes. The prison population is growing faster than we can build prisons to house inmates at costs in excess of \$20,000 per inmate per year. Clearly the costs of fatherlessness in our society are steep.

So one should naturally turn their attention to what we as a society, as a government, are doing to ameliorate this problem. The answer sadly is that we are doing virtually nothing to reverse this trend and treat this illness in our society. Rather than employing the "carrot" to bring fathers of broken homes back to the table and into the lives of their kids, we instead beat them with the "stick" that further exacerbates the problem.

Our family courts are an unfriendly place. Fathers need both perseverance and luck to find a commissioner or judge who adheres to the intent of the law and who values the role fathers play in bringing up well-adjusted kids. Child support offices are worse. It is a rare employee at these offices who treats a father with dignity and respect. Gender bias is rampant. Social services offices emanate a callous disregard for fathers, employing a double standard whereby fathers have to adhere to a much higher level of "acceptable behavior" than mothers in order to "merit" time with their own children.

The state finds innumerable ways to punish dads who fall behind on their support by garnishing wages, intercepting tax refunds, pulling professional licenses, and even denying hunting permits. Yet what has the state, or counties, or municipalities done lately to help fathers who are being denied the placement time that the court did order? The answer again sadly, is virtually nothing. Fathers are pushed away, taken from their kids, made to pay for this abuse, and then offered no assistance when their diminished right to parenting their kids is violated.

It is time we abandoned the stick and began using the carrot to solve some big problems in our society. If we can recognize that fatherlessness is becoming an epidemic, and one which has a very

costly societal price tag, then perhaps we can take some steps to alleviate this problem for the good of the whole of our society.

These steps begin here in this hearing room. The Legislature has become more cognizant of the positive roles fathers play in raising children. Legislative initiatives in recent years called for "maximizing placement" in divorce and paternity cases. They required the use of parenting plans whereby each parent must submit to the court their plan for providing for their children's best interests. After all, who knows better what is best for children than their own biological parents?

Unfortunately many officials in our courts feel unconstrained to follow the letter and intent of these laws that our legislature has enacted. It seems they value too deeply their "judicial discretion". They are too entrenched in an industry of lawyers, GAL's, and therapists that is funded by families in distress to recognize that they in fact are promoting conflict to the detriment of **children, whose real best interests are served by having the love and nurturance of two involved parents .. a mother and a father.**

It is time to take yet another step to not only address the prevailing gender bias still alive and well in our family courts, but to recognize that kids do better with two parents than they do with one.

And if any of you are concerned about the fiscal impact of more equalized placement outcomes in terms of the diminished collection of support that in turn helps fund some of the state and county bureaucracies, consider the other side of the equation. Consider the potential savings to the state if fewer kids drop out of school, if fewer teens become pregnant, if fewer find themselves in court for their own delinquent behaviors. And what if our prison population were to decrease?!

It's time to see the forest through the trees and time to abandon the stick in favor of the carrot. We teach our kids in school that all people are equal in our society. We teach respect for gender and race. **It's time we show them by example that fathers and men are indeed as important in the grand scheme of things as are mothers and women.** We need to practice what we preach.

Before you is a bill that finally would say out loud that both parents are equally valued. No longer will judges be so easily able to skirt legislative intent. Children will be the big winners with two involved parents. I ask you please to take a stand and do the right thing. Look through those trees and you will see a forest. Thank you.

Tom Pfeiffer – Secretary, Wisconsin Fathers for Children and Families
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STATE REPRESENTATIVE

DON PRIDEMORE

April 6, 2006

To: Members of the Senate Committee on Judiciary, Corrections and Privacy.

From: Don Pridemore, State Representative
99th Assembly District

Subject: Support of Senate Bill 586 "Equal Child Placement"

Chairperson Zien, and Senators Roessler, Grothman, Taylor and Risser, thank you for hearing Senate Bill 586. The primary focus of this bill is to allow children full and equal access to both parents. The benefits to a child having both parents involved in their lives are absolutely irrefutable. We have all seen first hand the affects that broken homes and single parent households have on children. Still we continue to settle on a system that maximizes the importance of one parent and as a result, minimizes the importance of the other. I believe the time has come for us to officially recognize that children deserve to have equal access to both parents.

All too often, children are used as bargaining chips by vengeful parents in child custody hearings. In order to eliminate this practice, which is detrimental to a child's well-being, I have introduced this bill in order to equalize child placement and promote cooperation between parents.

Most folks would argue that a child is better off with the love and support of two parents. **It is in the child's best interests** to have a placement arrangement that allows for both parents to equally contribute to a child's well-being; financially, physically and of course, emotionally. However, under current law, many children are deprived of the benefits that the care of two parents can provide. Whether this is due to bias or tradition is debatable; however, neither of those reasons would make unequal placement right. This bill will eliminate those discriminatory factors. No longer will a parent lose a child because of unequal child custody proceedings and even more important, a child will no longer lose a parent. This bill will "equalize" time with both parents and limit the possibility of discriminatory placement practices. This bill also takes into account the child's welfare by retaining existing laws protecting children from an abusive parent.

A positive and likely outcome of this bill is increased cooperation between both parents. Parents can no longer use children to get back at their ex-spouse. Placement must be equal unless "clear and convincing evidence" is presented that equal placement will be detrimental to the child's general welfare. Due to this, parents will be forced to cooperate because the revenge aspect of custody hearings will be eliminated. Both parents will go into a custody hearing knowing that they will have equal custody and the child's welfare will become the primary focus. Due to this, non-cooperation will not be rewarded with primary placement.

Another positive effect that the 50/50 placement bill will have is custody proceedings will not encourage bitterness between parents but instead will promote cooperation. Couples who are sharing the responsibilities of parenthood will be more likely to work together to achieve a positive outcome. In addition, parents who are cooperating are far more likely to reconcile their own relationship which under normal circumstances is the Best outcome one could hope for.

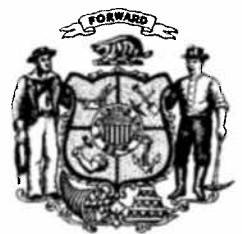
It will not come as a surprise to many of you that not everybody is in favor of Equalizing placement in custody cases. Right now there is big money in custody disputes. Whoever hires the best law firm and pays for the highest priced experts, usually get the kids. In addition, I suspect that the bill may be opposed by the victim lobby. The people whose sole purpose of existence is to find a victim to protect and a cause to promote and they have a vested interest in keeping the status quo. I would like to suggest that this bill will protect the most vulnerable of our citizens, the children, not only from being used as bargaining chips but from being denied the most basic of God's gifts, a Mother AND a Father.

This bill is essential in order to make a custody battle change from a revenge proceeding to a hearing with the child's best interests in mind. Thank you again for hearing this bill and I strongly encourage your support.

Don Pridemore
99th Assembly District



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Testimony regarding SB 586
Equalizing placement with both parents

April 6, 2006

I am a divorced father from Hales Corners with two daughters, who are now in college. In the three years before they went to Marquette University I did share placement of them equally. One week they spent with their mother, one week with me. My daughters are now adults, I had equal placement, so why am I here? I am here because my 15 year experience with and observation of the current legal process of resolving child custody, placement and child support issues has convinced me the current laws and legal process hurts children and families and needs to be reformed.

In my case my ex wife and I are both fit parents that live two miles apart, yet I had to fight for 10 years, spend a \$100,000 for legal bills, hundreds of hours of my time dealing with the legal system, and have luck on my side to achieve equal placement of our children. My ex wife spent at least as much for attorney and professional fees as I did. The more than \$200,000 we spent for legal professionals is no longer available to pay for our children's college expenses or to help our children in the future.

My ex wife is not a bad person, she just had an irrational anger about the failure of our relationship and tried to use the legal system and the biases against fathers to try to vindicate herself and punish me. I am fortunate that I had the financial resources and emotional strength to endure this battle. Many fathers that I have met have not been so fortunate. Many are financially devastated, emotionally broke, and unable to fight for their children. As a result many children are denied a full relationship with their father, merely because their father did not have the resources to fight for them. Our laws and legal system should welcome responsible fathers, not try to push them away.

Currently the primary criteria for resolving child custody and placement disputes is the ambiguous question "What is in the best interest of the children?". While this seems like a noble criteria, in practice it results in increasing conflicts between parents, prolongs litigation over this issue, minimizes the role of one parent, increases the potential for domestic abuse, and is

financially and emotionally devastating to both parents and the children. A simple placement case can take years to resolve and cost tens of thousands of dollars for each parent. Ultimately the decision is often arbitrary and based on the biases of a court commissioner, guardian ad litem or judge.

In Wisconsin, we treat property division conflicts better than conflicts over children. Since 1987 when the presumption of equal property division in divorce cases was passed, the fighting over this issue has been greatly reduced. The court no longer have to do "what is just and equitable", but must presume that community property will be divided equally. Because the outcome is predictable, parents can more easily resolve these disputes. It is time to reduce the fighting over children by changing the primary criteria from the ambiguous question "What is in the best interest of the child" to a more predictable and fundamentally fair goal of equalizing placement as much as possible between parents. This bill does not remove "the best interest of the child" criteria since this bill delegates this to the parents and allows the court to what is in the best for the children, based on the existing statutory factors, if the court finds that equalizing placement would be harmful to the children.

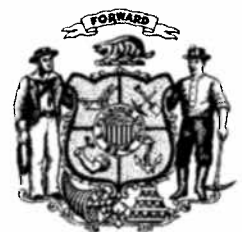
This bill also eliminates many of the legal barriers that obstruct good parents from assuming a greater role in the raising of their children. Removing these barriers, would not only give children an opportunity to have a full relationship with both of their parents, but would also achieve this in a manner that would greatly reduce the need to litigate this.

Some legal professionals may try put a negative light on this bill and urge you not to pass legislation that will slice children in half so that each parent can have half a child. The goal of equalizing placement does not slice children in half. It just provides that each parent shares equally in the responsibilities of raising their children. The simple and more clearly defined principle of allowing children as equal access as possible to both parents promises to greatly reduce the need to litigate this issue in Wisconsin courts and spare the children and both parents the financial and emotional costs of litigating this issue.

SB 586 is a long needed reform of our family law system. Please support this bill.



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Testimony of Jodi Roberts, Co-founder of Wisconsin Women for Equality in Family Law, in **favor** of SB586 the Equal Placement Bill before the Senate Committee of Judiciary, Privacy and Corrections at a public hearing held on 4/6/06.

Hello, my name is Jodi Roberts. I am co-founder of Wisconsin Women for Equality in Family Law. WWEFL is an organization of women from all over the state who have one thing in common...they all know and love a child who is caught in the middle, between their mom and their dad.

I am here to testify in favor of SB586 the Equal Placement Bill. My viewpoint is rather unique, in that I have personally experienced many of the dynamic roles which exist in a split family.

I am a child of divorced parents. I am a step-child. I am a mother, a step-mother and an ex-step-mother. I am a wife and an ex-wife. I am an aunt of a child with divorced parents. I am a step-sibling and a step-aunt. But most importantly, I have personally experienced the feelings of a child caught between the two most important people in their life....mom and dad.

As a child, living within an intact family, I had equal and unlimited access to my mom and my dad. I was free to love them both. I was free to talk with them both at any time I choose. I could go to either of them for advice or assistance. My parents cared for me together as a team. They made decisions concerning me, together. They discussed my life with one another. They shared their ideas and thoughts concerning my upbringing with one another. This phenomenon was not new....it happens every day within every intact family around the world.

However, suddenly my entire world was turned upside down and inside out. My parents had entered the realm of the family court system; they no longer discussed anything with one another. They no longer spoke with the respect and compassion that parents usually do. They saw me, their child, as a pawn to be negotiated over. My mother was guilty of trying to hurt my father, by withholding time with me. My father was guilty of trying to hurt my mother by withholding child support payments. Both of my parents were guilty to hurting me, while trying to hurt each other. What is wrong with this picture?

Unfortunately, these games and tactics are played by parents every day in our family court system. There is nothing and no one to stop this

destruction. Our current family law system is one of adversarial nature. One in which, children of unmarried, separated or divorced parents are treated with bias and forced to choose between the two people they love and admire the most...their mom and their dad. Our current system interferes with and discourages many parents from being actively involved in the lives of their children due to divorce or separation. The system was broken 30 years ago and it remains broken yet today. Just as I was dependant upon my parents and the family court system to rescue me from the pain, so are many children today. Just as my parents were not able to see the damage their actions were causing, neither are many parents today. My parents failed to consider my desires and my right to love them both and to spend time with them both. Many parents have made these same mistakes. Each of you have the power to ensure these mistakes don't happen again and again.

We need to enact laws which will protect every child's right to have equal and unlimited access to their mother **and** their father. SB586 will protect that right. Children are not a possession to be negotiated in the marital settlement agreement. Children are not a pawn. Children are living, feeling, loving individuals. Children are the most vulnerable group in our society and it is our responsibility to protect them.

I am not here for myself, my children, my step-children, my niece, my daughters' friends or any of the children who are involved in our family court system today. It is too late for all of us the damage has been done. There is no way to fix this damage for us. We must learn to accept the things we can not change and to stand up for what we believe in to make a change for the future. I am here today to make a change for future generations. To ensure my grandchildren and great grandchildren have their rights protected.

As a child caught in the cross-fire between my parents, I would have given my life to have it all stop. I would have given anything and everything I had, if only someone would have made my parents behave and act like grownups. I bet many children today feel that very same way.

SB586 the Equal Placement Bill will create the protection of a child's right to have equal and unlimited access to both parents. This legislation will create an environment which allows both parents to have an equal amount of time and equal opportunity to love, nurture and guide their children through life. This legislation will prevent children from being caught in the cross-

fire. This legislation will teach parents and children how to accept the things they can not change and to adjust to life.

Our villages, cities, towns, counties, states, nations, and countries need to accept diversity among one another and teach this acceptance to our children. Parents need to teach their children by example. Parents that work together even though they are apart are teaching their children how to adapt and get along. This is one of society's expectations which need to be taught and shown to our children.

Everything happens for a reason, but only when the path is clearly shown can change occur. The timing, place and action must be in order before change can take effect. The timing is NOW, the timing is right. The place for change to begin is at the top, here with the governing bodies of our state. The plan is clearly written, it only requires action. You have the power to take action and make the world a better place for future generations.

In closing, I ask for you to take action and protect the rights of every child in this state...the right to have equal and unlimited access to both of their parents.

Thank you for your time and attention.



Joseph Vaughn
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April 10, 2006

To the legislature:

Re: Assembly Bill 897/Senate Bill 586

This is a reminder that, for children of divorce or broken families, these Bills will bring reforms providing greater parental support and stability for them in many family court settlements. Among other things, AB 897 and SB 586 mandate joint custody and equal placement of children with both parents as a starting point in the law. In cases where the parents live far apart, or they don't have appropriate households or there are real, compelling concerns about the children's welfare, traditional judicial discretion will prevail on behalf of those children. This legislation will also refine the process of providing basic parenting information to the courts, will eliminate much parental hostility and needless, expensive litigation and finally, will promote much more cooperation between parents when they realize that being hateful and obstructive will gain them no advantage with their children.

Young girls are not raised up today to satisfy stereotyped expectations of motherhood or second-class status in any kind of career ambitions. They're encouraged and expected to demand full equality with males in everything they do, except for motherhood. They already know, before they reach adulthood, that in family matters, their status as a future parent will be favored by the government because of gender-bias ("they are mothers") and because of tradition ("that's the way we've always done it"). This guarantees continuing generations of young boys who come of age already knowing that, if they pursue any interest in future fatherhood and family life, they're already second-class parents and definitely not equal to a mother. Allowing children to grow up everyday internalizing this outlook is a disgusting, destructive thing to do, especially in a liberal, no-fault divorce society. It should be a source of shame to anyone who believes in our human rights based upon equality of attitudes, equal treatment before the law and equality of opportunity throughout one's life.

In approving this legislation you'll be correcting a large defect in family law that has festered for too long, for no good reasons, and will firmly declare to the courts that, in appropriate cases where the welfare of the children is not an issue, equal time and access to them for both parents will be administered and enforced. Nothing could be more reasonable, nor of more value to children in non-intact families, than to expose them to an atmosphere of parental equality and to promote both parents' involvement with them by providing the time to be so.

Please show your commitment to what's best for children and pass AB 897 and SB 586, so the governor can sign it into law as soon as possible.

Sincerely,

Joseph Vaughn



Testimony of Renee Weaver in favor of SB586 the Equal Placement Bill,
Given before the Senate Committee on Judiciary, Privacy and Corrections
At the public hearing held on 4/6/06

Hi, my name is Renee Weaver. I am 12 years old. My parents are divorced. I have gone through a custody battle. I am here to testify in FAVOR of SB586 the Equal Placement Bill.

My parents split up when I was 10. It was odd for my siblings and me because we didn't understand what was going on. We were not able to see our mom every day as we had before. It was hard for us to be able to come home knowing she wasn't going to meet us at the door with a hug and to say, "Hi, how was your day?"

During the first part of their divorce we lived with my Dad and visited my mom. Living with just my dad, was weird, most kids live with their mom and visit their dad. We only saw our mom 24 days that first year. I don't know all the reasons why I did not live with mom and visit my dad. I do know that dad stayed in our house and we did not have to change schools or move, maybe that was the reason.

It was hard living without my mom. There are some things that a girl is not able to talk with her dad about. I was lucky to have my grandma and my friends' moms to talk with. I can't imagine how hard it would be to live without my dad.

Although my dad has primary placement of us, he is always willing to share us with our mom. Now that mom lives in the same school district as dad, it is much easier for us to spend time with mom. Recently the situation has changed and we love it. Mom and dad alternate by having us every other week. They share the responsibilities of raising us. We get the best of both worlds. We get to see mom for a week and dad for the next week. This change is awesome. It is so very much better than the old way.

The time we lost with our mom can never be replaced. It is gone. We can't get it back, nor can we make it up. Laws are like rules to a game they keep everyone playing fair. The judges and courts are like referees they enforce the rules of fair play.

I have read some of the laws. I may not understand all of them, but it is plain to see the rules are not written fairly. I have searched and could not find a law which would allow me to tell my desires. Why is that? Who is this Guardian ad litem person? How can they possibly know what is best for me, they don't even know me? Why does this person have so much power of my life? Aren't my parents supposed to make the choices that are best for me?

My cousin has been without her father for 13 years. Just recently she has met her dad and is now getting to know him and spend time with him. I called her last night. I wanted to know how she felt about this bill and spending time with her parents. Without even thinking, she responded, "Definitely, Equal Time with both parents."

If I were in control of this hearing, there would be no doubt in my mind; the law would change NOW for every kid. Thanks for allowing me to be here and watch how a bill becomes a law. I have learned a lot from this and I hope that you have learned a lot from me.

Thank you,



Liedl, Kimberly

From: Hogan, John
Sent: Tuesday, April 11, 2006 2:56 PM
To: Liedl, Kimberly
Subject: FW: Judiciary Committee - SB586

Interesting the stats on % of kids in single parent homes in certain districts. Sad.

From: 50/50 Dad [mailto:5050dad@gmail.com]
Sent: Sunday, April 09, 2006 6:27 PM
To: Sen.Zien; Sen.Risser; Sen.Taylor; Sen.Grothman; Sen.Roessler
Subject: Judiciary Committee - SB586

9th April 2006

Dear Senators,

Thank you for holding the hearing on Senate Bill 586. Even with a packed hearing room and all the comings and goings of many people, I believe the committee was sent a very clear message that **Kids Need Both Parents**.

Sadly, there are some Fathers (and Mothers) who do not want to participate in their children's lives; this Bill will change nothing for those children.

But there is a vast majority of Fathers who do want to fully participate in their children's lives and this bill will do enormous amounts of good for those children.

Our social fabric is being eroded by a broken system. The family is the nucleus of our society and if that nucleus crumbles, so will American society.

The statistics from the 2000 U.S. Census Bureau for your own Senate districts are remarkable in a very negative way. Not even the lower figures should be acceptable to our children.

For Senate District 4	Children in single-parent households	49.4%
	Population under age 18 below poverty	32.9%
For Senate District 18	Children in single-parent households	19.7%
	Population under age 18 below poverty	7.2%
For Senate District 20	Children in single-parent households	13.6%
	Population under age 18 below poverty	4.1%
For Senate District 23	Children in single-parent households	17.0%
	Population under age 18 below poverty	12.1%
For Senate District 26	Children in single-parent households	25.2%
	Population under age 18 below poverty	12.5%
For Wisconsin	Children in single-parent households	21.7%

5/3/2006

Population under age 18 below poverty **11.2%**

It is no secret that when parental separation occurs, the vast majority of outcomes, either by court contested decisions, or capitulation under duress, the Father is made an "every second weekend" visitor.

Fighting to be a fully functioning parent to our children, rather than a visitor, is not only emotionally draining, but also financially draining. Not to mention the psychological damage done to our children during this period of high conflict.

A quote from a Father from Senator Grothman's district:

"I often considered giving up the fight of trying to be a more effective Father because of the expense of court, legal fees, and guardian costs that often become too much to bear."

As your district statistics show, the current system not only decimates the nucleus of our society, but also pushes those separated families closer to the poverty levels.

The terrorists we are so concerned with couldn't wish for a better weapon against American society than our own Family Courts.

According to 72.2 % of the U.S. population, fatherlessness is the most significant family or social problem facing America. --Source: National Center for Fathering, Fathering in America Poll, January, 1999

It is now **2006**: Something needs to be done. You can find reasons to not pass SB586, but the end result of that procrastination is that nothing will change.

I urge you, put the Father's back in their children's lives. As the Mothers of the children testified last week and in deed the children as well who testified, having your Father in your life **IS** in the child's best interests **and** what the children want.

Let's do something that stops the ever-increasing destruction of families in Wisconsin. Let's put Father's back in the lives of their children.

Yours Sincerely

Peter Kerr

Communications Secretary
Milwaukee Fatherhood Collaborative

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5/3/2006