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## **Testimony to the Kansas State Senate Judiciary Committee**

RE: Support SB 157

Good afternoon Mr. Chairman and members of the committee,

In July of 2010, I assisted with the conception of a child. It wasn't something I was planning on doing. I never really wanted to have any kids because of how unfair the system is to fathers. However, I was raised by a single mom and I have never even seen a picture of my father, so when the time came for me to step into the role I did not hesitate. I love my daughter.

For 7 years, I have been the primary support for my daughter and for most of those years I was the go-to support for her mother. We never did very well as a couple (although we tried), but we made co-parenting a priority and made it work for our daughter Claire's sake. We have had a verbal shared parenting agreement and to this day we shared parenting time roughly 50/50. Last year, Claire and I were photographed by the Lawrence Journal-World in a Senate hearing very similar to the one occurring today. Claire was out of school with Impetigo and I was the on-call parent for the day. We were attending because I supported the bill to create a presumption of shared parenting. At the time, there was no self-interest behind my attendance. Claire's mother and I had never gone to court and we were never married so there was no custody order or child support. Claire's mom had less income than I did so it was logical that she claimed our daughter as a dependent and received the Child Tax Credit and the Earned Income Tax Credit worth several thousand dollars a year. It was logical to me that I shoulder most of the expenses because I had more income. Nothing legally compelled this. I love my daughter, and with loving and caring for a child comes many responsibilities. Emotional responsibilities, practical responsibilities, and of course financial responsibilities. As a co-parenting team, Claire's mom and I were the Great Outliers. We always supported each other and never squabbled over things that weren't relevant to parenting. We didn't always agree, but we always aligned.

Until we didn't.

In broad strokes, our parenting teamwork the last 6 months has gone downhill fast. There was a disagreement over a few hundred dollars in business unrelated to parenting. This disagreement led to me feeling like things had gotten very petty financially between us and led me to request that the financial burden of parenting be shared more equally. The response to this request was a request for child support dollars. A lawyer had recommended to her that she should declare herself the "primary" parent because it would lead to a transfer of income without any increase in parenting responsibilities. A lawyer indeed drafted a "shared parenting agreement" that codified our existing parenting time (54% her and 46% me after I gave up a Friday evening every other week for logistical reasons to save Claire several trips back and forth between parents over a 72

hour period). The only difference was that it codified a transfer of many hundreds of dollars from me to her each month.

Using children for financial leverage is an abuse of the parenting relationship in my opinion. Child support is an elegant mechanism to compel parents to share financial responsibility for a child when one parent is unwilling to do so of their own volition. The way we humans are incentivized matters. Creating a positive financial incentive to split a parenting team into debtor and creditor means that more of these teams will be so split when without the incentive they would not.

In corporate America, we talk a lot about metrics. Changing how success is measured changes the behavior of employees and leadership. This bill is about changing the way success is measured in a parenting situation. It encourages **both** parents to embrace teamwork because it begins with the presumption that being a parenting team is the ideal outcome. It also leaves the specter of child support and less equal parenting arrangements out there as a remedy for failure to co-parent equally. This is how law is *supposed* to work. Discourage the behavior you don't want and reward the outcomes you do want. Our current system logically leads many mothers to the conclusion that the state *wants* them to shut the other parent out of their child's life. I do not believe that is in the best interest of the majority of children.

My personal situation is being resolved in a civil manner with a shared parenting agreement. We both continue to place our child above our petty disagreement. For now, I was willing to go to great lengths to prosecute my case that shared co-parenting is the best outcome for our child and I believed that with enough money to lawyers and enough encouragement to the court even the current system would align with the shared parenting plan. But I may have been wrong, and having to wager on the future of my child is not a position any parent wants to be in.

Please support this bill. Because it is in my child's rational self-interest. Because starting with a presumption of shared parenting is the shortest path to the best interest of any child with two willing parents.

Thank you.

Joe Sessel