

## Family Law Creates a Public Health Crisis.

### Is there a cure?

The successful rearing of children is in direct correlation to the time they spend with their parents. Research tells us that when time is restricted with either biological parent, children are “at risk” to become mentally, emotionally, and physically unhealthy. And risk factors add up.

According to Adverse Childhood Experience Study (ACE Study), 4 or more risk factors to childhood development increase the chance of teen suicide by 1200%. The ACE Study is one of over 40 social science reports which prove how critical it is for children to spend time with both their biological parents.

Unless a parent is determined to be unfit, every child benefits from time spent with mother and father. If abusive is feared, existing domestic violence laws take effect. Much support and adherence remain necessary to ensure that these laws are enforced. In no way, does the proposed Children’s Equal Access Act weaken or change the existing laws.

Courts, in the past, have forced a “winner-loser” scenario creating conflict and trauma. The winner gets the kids along with child support. The loser gets every-other-weekend visitation. Overwhelmingly, this has been proven unfavorable for children. A new day is upon us. Acknowledging the social science data has led more judges, parents, and legal counsel to a more amicable and informed approach to family law practices.

Forward-thinkers, like those in Kentucky, have led the way to use this data to protect children by changing child custody laws. These changes have decreased negative outcomes, reduced court dockets, and helped children live more peaceful lives. So, there is a movement toward correction of old practices. Action is leading to more access to both parents regardless of marital status. This action is child centric and supported by the Senate during the 2019 legislative session.

The Children’s Equal Access Act, the new proposed law for 2020, will create powerful changes, which are key to preventing suicide, parent conflict, drug addiction, teen-pregnancy, prison overcrowding, mass shootings, and high school drop-out rates. It aims to maximize and equally share a child’s time with both fit parents during a divorce or separation with the best interest of the child acting as the starting point. Parents are determined to be fit at the onset and if they are not, action can be taken to prevent abuse within the home. Both parents are then treated equally and time is viewed as equally important.

Secondly, Judges must document the rationale for their decisions and determination why joint custody is not in the best interest of the child. Current law requires parole boards to clearly articulate its reasons for approval or denial of parole for prisoners. We believe innocent children and fit parents should be afforded the same rights. In the case of fitness, there is a rebuttable presumption that both parents are fit until determined otherwise as required by existing domestic violence statutes. This is the current law and it would remain unchanged. In the case with this Act, there would be a rebuttable presumption that a child has 2 parents and time spent with each is equally important as reflected in the social science data for favorable outcomes for children.

Lastly, a parenting plan must be submitted by both parents and formatted to meet their child's needs. This would allow the courts to proceed expeditiously in determining cases and in order to relieve the backlog and burden of overcrowded dockets.

In summary, the Children's Equal Access Act, as proposed, will reduce many risk factors and protect Alabama Children from being placed "at risk." It will prompt biological parents to develop a parenting plan that will determine the proper, most productive and positive way to co/parallel-parent, putting their children's needs, growth and development in the forefront of their decision making.

Visit [alfra.org](http://alfra.org) to learn more about our efforts to preserve, promote, and protect family relationships during the 2020 legislative session.

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