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TO
Family Court

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LATE TESTIMONY

Testimony in strong Support of SB 2055

Hearing: January 24, 2008
Time 1.30 p.m
Room 016 State Capital

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COMMITTEE ON HUMAN SERVICES AND PUBLIC HOUSING

Senator SUZANNE CHUN OAKLAND, Chair
Senator LES IHARA, JR. Vice Chair

From: **Alexandra Murdoch -Haig**

Children's Rights Council Youth Spokesperson

Subj: Testimony in strong Support of SD2055

My name is Alexandra Murdoch-Haig.

I am a 15 year old sophomore at Punahou School and I can tell you that there have been several Custody Evaluators in my parent's divorce case and it would have been way better if they had experience about what they were doing and if there had been a mentor overseeing what they were doing.

In the last big trial in my parent's case, Linda Martell and Reneau Kennedy were the custody evaluators. They were more interested in having dinner with my Dad and drinking all of his expensive wine than they were in talking to me. Now that I am older and I see what my Mom does when she does supervised visitations and the questions she carefully asks both parents, I realize that neither Linda Martell or Reneau Kennedy were the slightest bit interested in what I wanted or what I had to say. Linda Martell bought me a horse book from Costco, I already had the same book, and we went over the pictures. Reneau Kennedy had me psych tested for over 8 hours by 3 of her guy students. It was fathers day and I left for Europe that night with my Dad. I remember very clearly that each lady came to my Dad's house for dinner two times. They had cocktails and were served by my Dad's maid which kind of made them seem important.

They came to my Mom's once. My Mom was mad that Reneau Kennedy drank her special French wine and my Mom's boyfriend Pat and my Auntie Sharon and Auntie Lorraine were at the barbecue too. Reneau Kennedy swam with me in our pool and borrowed my Mom's stuff but she never got around to asking me the questions a kid should be asked. I agree with my Mom in that kids need both parents. Lawyers and court people just make tons of money by trying to convince a parent that they should be the only parent in the kid's life but that is not true. The motto of Children's Rights is the best parent is both parents.

The passage of SB 2055 will make a custody evaluator like Linda Martell and Reneau Kennedy obsolete. No one should dictate a kid's life who has no idea of what they are doing and who has only done a couple of evaluations before. This is really, really bad for the kid. With the passage of SB2055 there will be a legal standard for Custody Evaluators that is consistent with policy developed in other states across the U.S, and also one which will be appealable in the appellate courts.

The Children's Rights Council and their Youth Group strongly believes that SB 2055 should be supported.

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COMMITTEE ON HUMAN SERVICES AND PUBLIC HOUSING

Senator SUZANNE CHUN OAKLAND, Chair
Senator LES IHARA, JR. Vice Chair

From: LAURETTE DEMANDEL-SCHALLER, MFT, Ph.D., C.E., G.A.L.
**Clinical Member Hawaii Assoc. of Marriage Family Therapists;
Clinical Member American Assoc. for Marriage and Family
Therapy; Custody Evaluator; Guardian Ad Litem;
Mediator; Member of the Assoc. of Family and Conciliation
Courts
And The SR10 Taskforce**

Subj: Testimony in strong Support of SB 2055

My name is Dr. Laurette Schaller, I have lived on the Island of Kauai for over 20 years, and have been a licensed Psychotherapist for 24 years, in California and Hawaii, providing treatment and forensic services to children and families.

The passage of SB 2055 will make the BEST INTEREST OF THE CHILD the cornerstone of judicial consideration when determining the award of custody to divorcing or never married parents. This is consistent with the mission of the Court to carry out its strategic plan to develop, support, and advocate for maximum parental involvement in the lives of their children. With the passage of SB2055 there will be a legal standard that is consistent with policy developed in other states across our nation, and also one which will be appealable in the

appellate courts. The passing of this Bill means progress for the people in the State of Hawaii.

I join with The Children's Rights Council, and members of the groups listed, we strongly believe that SB 2055 should be supported.

LATE TESTIMONY

Testimony in support of SB 2054 and 2055

COMMITTEE ON HUMAN SERVICES AND PUBLIC HOUSING

Senator Suzanne Chun Oakland, Chair

Senator Les Ihara, Jr., Vice Chair

Committee on Human Services, Jan 24, 2008

Time 1:30PM.

Guillermo Auad, PhD, Children's Rights Council testifying in support of SB2054 and 2055

My name is Guillermo Auad, founder of the Children's Rights Council of San Diego.

I strongly support SB2054 which amends custody and visitation criteria and procedures to specify what factors the courts shall consider in determining the best interest of the child.

I also strongly favor SB2055 which establishes the procedures and requirements for child custody evaluator training and certification.

Sincerely,

Guillermo Auad, PhD
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LATE TESTIMONY

January 24, 2008
The Hon. Suzanne Chun Oakland,
Chair, Committee on Human Services and Public Housing
Hawaii Legislature
Honolulu, Hawaii

Dear Chair Oakland:

Aloha!

The Children's Rights Council, a global child advocacy organization, with chapters in most states, including Hawaii, strongly supports SB 2054 and SB 2055.

We thank the sponsors for introducing these bills, and for all those who will support them, because this legislation is strongly in the best interests of children. Children are born with, need, and love both parents. Parents who are married have "joint custody" whether they call it that or not. That relationship of a child having two parents should continue despite divorce, unless there are strong reasons not to continue such a loving relationship.

Children whose parents are separated, divorced, or never-married are at-risk. They are at-risk of greater involvement in drugs and crime, and of dropping out of high school, moreso than children of intact marriages. Interestingly, research shows that children who have both parents involved in their lives – even in divorce – are more likely to avoid the problems of drugs and crime and dropping out of school than children of single parents,. Single parents do all they can for their children, and many children of single parents turn out fine.

We should praise single parents for all that they do for their children. But it is proven that children with two parents in their lives, even in divorce, have measurably better outcomes. Even single parents would tell you that they would generally prefer to have the other parent involved.

These bills are a way to help bring that about. These bills would help keep children out of the middle of nasty custody battles, because shared parenting would have a higher value in Hawaii than it does now.

Thirty-seven states and Washington, D.C. have some form of presumption or preference for joint custody (shared parenting). Only 13 states have no preference for joint custody or shared parenting. Unfortunately, Hawaii is in that minority of 13 states. We hope for social progress and social justice for children and families in Hawaii, which would result from the passage of these two bills.

These bills will also cut down on domestic violence, crime and drugs, because such problems are almost always associated with sole custody, not joint custody. So the safety of the community will be assisted with the passage of this legislation.

If you would like more information, please let me know.

Thank you, on behalf of the children of Hawaii.

David L. Levy, J.D.
Chief Executive Officer
Children's Rights Council

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