



The Coalition of Fathers and Families NY, Inc.
an affiliate of the American Coalition of Fathers and Children

“Working to Keep Fathers and Families Together”

MEMO IN SUPPORT OF SHARED PARENTING LEGISLATION

Bill Number: **A330** and **S291**

Sponsor: Assemblyman Harvey **Weisenberg**. Senator Owen **Johnson**.

FaFNY supports legislation that would keep both parents involved in a child’s upbringing regardless of the marital relationship. A rebuttable presumption of shared parenting law has been proposed in both houses. FaFNY would like to see this legislation on the floor for debate by the entire legislature, not hidden away in committee where the few can dictate over the will of many.

Right now in New York State there is no shared parenting statute on the books and the courts have no definition of what constitutes the “best interest of the child”. This lack of direction has resulted in mother custody in 93% of all cases. In 100% of cases the child is placed in sole custody (single parent household), *a non rebuttable presumption of sole custody regardless of the fitness of the other parent*. Children of single parents have a 77% greater risk of being harmed by physical abuse, an 87% greater risk of being harmed by physical neglect, and an 80% greater risk of suffering serious injury or harm from abuse or neglect than children living with both parents. 85% of children in penal institutions come from fatherless homes, and children denied access to their biological father are ten times more likely to abuse alcohol and/or drugs. The current sole custody placement of children is clearly a violation of parent’s rights to parent their children and results in excessive suffering on the part of children. New York State’s practice of awarding sole custody is child abuse.

Statistically children fare best in virtually every category such as teen pregnancy, drug abuse, scholastic achievement, gang and crime involvement, physical and mental health, and overall self worth when they have two active involved biological parents in their lives.

States that have enacted shared parenting have seen a reduction in the divorce rate, reduced conflict, reduced litigation, and reductions in the financial costs associated with divorce/separation. These outcomes are clearly beneficial to children and their parents.

The time is NOW for the legislature to act on behalf of the children and families of NY State by enacting legislation that would guarantee that children have equal access to both of their biological parents



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This Bill would:

- Sets Public Policy that it is in the interest of the child to have close and continuing contact with both parents.
- Award custody to both parents unless shown to be detrimental to the child.
- Mandate the court would have to state in writing how its order is in the best interest of the child in each case.
- Require the parties to submit a “parenting plan” to outline how they would parent their children.