



Show-Me State Rises for Equal Shared Parenting – A Four Year Effort

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“We find these truths to be self-evident, that all men are created equal...” Of course, nowadays, we all understand this founding principle of the Declaration of Independence to mean all *people* are created equal. Unless that is, you or someone you love has ever been to family court.

That’s about to change. A legislative bill has been making its way through the Missouri legislature since 2015 and will be debated on the floor of the Missouri Senate. This is one of the last steps before it becomes law. A first of its kind, House Bill 229, sponsored by Representative Kathryn Swan from Cape Girardeau, creates a ‘rebuttable presumption’ or a starting point if you will, of equal or approximately equal parenting time between two fit, willing and able parents after divorce or separation. It recently passed the Missouri House by a vote of 119-30 which is nearly 80% of Missouri’s state representatives.

That’s because over 140 child psychologists say shared parenting after divorce or separation is in the best interests of children. For example, studies show children who have equal and meaningful contact with two fit, willing and able parents are less likely to drop out of school, run away from home, become pregnant or have an abortion, commit suicide, seek abusive relationships, commit crimes, and use drugs or alcohol. They are also more likely to have successful relationships, adjust better to separation, have healthier sleep patterns and improved general health.

This legislation has the probable benefits of saving time and expense because the adversarial and “winner-take-all” approach to family litigation – particularly from interested parties who needlessly drag out cases – will be replaced with 50/50 parenting time as the starting point, bringing both parties to the negotiating table from the beginning while also clearing the docket for truly complex cases that take more time, such as those involving domestic violence or abuse.

H.B. 229 contains a provision specifically for those types of cases. The ‘presumption’ may be rebutted through a preponderance of evidence demonstrating a pattern of domestic violence. This provision has earned the support of the Missouri Coalition Against Domestic and Sexual Violence (@MCADSV), which recently stated on its Twitter page “...[t]he Missouri House amended and perfected HCS HB 229 [Swan] to include an amendment ... that protects victims of domestic violence in child custody cases.”

Each year, this legislation produces expanding bi-partisan support from all areas within the state Capitol. After four years of compromise, the domestic violence and abuse advocates are the most recent to support and join this collaborative coalition. Recent studies have shown that 70% of grown children of divorce thought that 50/50 is best for children as did 93% of those raised in 50/50 parenting homes. In fact, researchers from all over the world are endorsing the assertion that shared parenting has reached a critical mass, and it is best for most children.

Locate your Missouri state Senator at senate.mo.gov within the “Legislator Lookup” and urge them to vote in favor of H.B. 229 (Swan) because absent evidence to the contrary, when two fit, willing and able parents walk into family court, they should be treated as our founding fathers envisioned – equal before the law – so the intrinsic needs of Missouri’s children can be addressed first in family law.