

PROPONENT TESTIMONY - HB508

TESTIMONY OF Kindra Beck

CIVIL JUSTICE COMMITTEE

OHIO HOUSE OF REPRESENTATIVES, 134TH GENERAL ASSEMBLY

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Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski and members of the House Civil Justice Committee, thank you for the opportunity to provide proponent testimony on HB508.

My name is Kindra Beck, proud mother of two boys, B2B marketing professional, motivational speaker, life coach and legislative advocate for change. I grew up around Dayton, Ohio, attended the University of Toledo and currently reside in Waynesville. I was a very active Mom with my two boys, helping with Boy Scouts, football, basketball, horse camp and much more while holding down a professional sales and marketing career. I made sure that whatever job I had, I was flexible to be there during school parties and events. I loved to travel with the boys to my family's lake cottage in Michigan, vacations to St. Louis, Universal Studios, and local weekend trips. I would say that I was the primary caretaker for the boys for 10 years scheduling appointments, keeping current on grades and assignments, and even helped encourage our oldest son to register for the Science Fair. During our 10+ years of marriage, we had a relatively normal upbringing with the boys and our extended families were very involved in the boys' lives. Divorce was new to both my family and my ex, as our parents have been married for 30+ years.

The day I filed for divorce, my legal counsel advised me to file with a new resident address, which meant moving out that day, and I was advised to take my children with me so it was not considered abandonment. In hindsight, this was terrible advice, but you have to trust your legal counsel when you go through a divorce. I received temporary custody for a few months (June-July), but then a GAL was assigned to the case, and he ordered the children move back to the primary residence to stay within the school district, which meant awarding Dad temporary custody. I was also told by the GAL I lived too far to see my kids during the week so if I wanted 50/50 visitation, then I needed to relocate within 24 hours, of which I did. In addition, the GAL made the determination that the best fit for our family of 50/50, was Monday and Tuesday with Dad and Wednesday Thursday with Mom and alternating Fridays based on weekend visitation.

About a year later and yet for the divorce to be finalized, my ex accused me of abusing our child on a vacation in August 2019. Imagine after a wonderful vacation, getting the kids ready to start school in a few days and then being served a protection order that eliminates all communication with your children immediately while the case is investigated. And a protection order not only restricts communication from the accused, but anyone who could be perceived as relaying a message from the accused. So from the advice of legal counsel, grandparents, great grandparents, aunts and uncles who they saw weekly, was immediately cut off from any communication with the boys as well. During the investigation, there were countless delays over the next few months that prevented me from having any contact, let alone a relationship with either child—missing Thanksgiving, Christmas, New Years and more. Finally in February 2020, opposing counsel dropped all allegations and agreed to counseling and 50/50 visitation again. I lost seven valuable months with my children for no reason at all. Counseling never happened and my relationship with my children still suffers and to this day. I still have not had a conversation with my oldest son since that vacation in August 2019.

Since February 2020, there has been many more examples demonstrating a pattern of willfully creating conflict in attempt to disrupt our current 50/50 visitation order and counseling orders for the children, from not only opposing party and family, but the court system, GAL, counselors, psychologists, reunification therapists, and attorneys. There has been no demonstration by father, or father's family, to cooperate with me and the children's maternal family, or the encouragement of a relationship between myself and our boys since our separation. There has been no communication with me in regards to medical decisions, dental decisions, doctors appointments or anything pertaining to school.

If the bill being proposed would have been in place during our separation in 2018, it would have encouraged my ex and I to work together to submit a temporary shared parenting plan that worked for our family. In addition, it would have allowed both of us to continue our parenting responsibilities and decision-making rights equally from the time of separation and prevented the long, drawn-out court battle. Also, it would have prevented GAL involvement because both of us would be designated as residential parent and legal custodian of the children with agreed upon child support.

Furthermore, if the new bill would be in place during the time of the GAL involvement in our case, his recommendation would be considered, but not relied upon by the court as the sole basis for its determination. So, maybe I wouldn't have had to move within 24 hours to see my children 50/50 and maybe we could have come up with less confusing visitation schedule.

In addition, if my ex would have had to bear the burden of proof for his false abuse allegations and provide clear and convincing evidence that 50/50 is detrimental to the child in a timely manner, I would have a relationship with my oldest son and not struggle to fight for time with my youngest. I can never gain back that precious time lost with my children, nor can I change the past, I just hope for change in the future for not only me, but other mothers that have experienced this type of struggle with their children after a separation or divorce.

Since June 2018, I have been fighting relentlessly to see to my children. After four attorneys, over \$140K in fees, I am nowhere closer than where I was when the children were taken from me by the court

system in August 2019. I pray my children get the therapy they need and recover from the results of horrible legislation that does not currently have the children in their best interest. In summary, when I decided to file for divorce, I didn't realize I was also divorcing my kids.

Without passing HB508, the children of Ohio will continue to suffer by not having a positive relationship with both parents. It continues to put the decisions of the children's future in the hands of our court officials who are not familiar with individual family dynamics. If passed, it will allow both parents to be legal guardians and have equal decision-making rights.

Mr. Chairman and members of the committee, thank you again for allowing me to provide testimony on HB 508. I would be happy to answer any questions.