

Sandberg Testimony

Hello. My name is Jeff Sandberg, and this is my 5-year old son Jude (see Jude's picture at end of testimony).

First, I would like to thank the sponsors of this bill and all of you for listening to Jude's story.

When Jude was born, his mother and I were engaged and living together but not married. After the birth of my son, I noticed changes in Jude's mother that became so significant that I asked her to go with me to get counseling. When she refused, I told her I would be moving out with my 11-year old son (from a previous marriage) because of her verbal abuse towards him and her exclusion of everyone (including me) from Jude. Two months later, Jude's mother falsely accused me of abuse, and was granted an Emergency Order for Protection. Prior to moving out of the home in early 2015, I was actively involved in my son's life on a daily basis, and provided the same level of love and care to my son as his mother did. At the time this happened, my son Jude was 2 ½ years old.

Because I was not married to Jude's mother, I had no parental rights even though at birth I filled out a Recognition of Parentage (ROP). In the court proceedings that were to follow, was agreed that there were no findings of abuse, but that the Order for Protection would stay in place until custody was resolved. As part of that agreement, I was able to negotiate some parenting time. Jude's mother was fighting for full custody of Jude with very limited parenting time for me.

For the first three months of 2015, I was allowed only short (2-3 hour) supervised visits with Jude at his mother's home 3 days per week. Not until August of that year did I get to spend overnights with my son, thanks to Jude's court appointed Guardian ad Litem who saw through the false accusations by Jude's mother. I spent over \$100,000 in attorney and court fees proving that I was capable and able to care for my son on a 50/50 basis. My case went to trial in November 2015, with a favorable judgement that came in February 2016. I was granted joint legal and joint physical custody, but my parenting time was limited to 44% to Jude's mother's 56%. The Judge stated that Jude's young age was a factor in determining that we would not go to an equal 5-2-2-5 schedule until his 5th birthday on August 1, 2017 (in 18 months), and despite the custody evaluators statement that I was a more nurturing parent than Jude's mother was. This phased approach was put in to place despite the court appointed psychologist determining that my child's mother was not truthful in her psychological evaluation, and that she suffered from an unspecified mental illness.

My son's mother spent the next 18 months appealing the verdict that would give me 50-50 parenting time, and she actively and aggressively engaged in parental alienation between my son and I. The only thing I could do was to try to provide a loving atmosphere and balance to my son at my home with his 11- year old brother and my extended family to offset the horrible emotional abuse that Jude was subjected to at his mother's home.

I cannot tell you how overjoyed I was when August 1, 2017 came (Jude's 5th birthday and the start of the equal parenting time schedule). We had a huge birthday party for Jude with family and friends and he was so happy. Later that month, I took him and his brother on a 5-day long fishing trip with my dad at his cabin in Grand Marais. It was the most fun I had ever seen Jude have, and we could not have enjoyed that extended time together without the equal parenting time schedule.

Five days later, on September 4, 2017, just one month after my son's 5th birthday and the start of our equal parenting time, my son's mother brutally murdered my son and herself by hanging. I spent three years fighting for my son's well-being, and have nothing more to show for it than a \$100,000 legal bill and cherished memories of my boy.

I am familiar with the proposed bill in front of you that advocates for equal parenting time for parents when other extenuating circumstances do not exist. If this bill was Law at the time that I was fighting for my son, I believe the

outcome would have been different. I believe having a 50-50 parenting schedule sooner, rather than have it drag on, would have reduced the mother's relentless attempts to minimize my involvement and it would have sent a message from the start that the law supports both parents; that this is a normal parenting time schedule, best for kids, and not some unique scary outcome that is out of the ordinary. Had this bill been in place, clarifying a different path for parents with a mental illness, I believe the court would have looked at the psychological component more closely, which may have resulted in my son's mother getting treatment for her mental illness. I believe if the court did not take in to consideration the current "standard" where a mother is more able to care for a child than a father, my son may be alive today.

Because of the phased approach to parenting time that the court ordered in my case, my son Jude had to spend 3 more months over an 18-month period in an unhealthy atmosphere with his mentally ill mother than with me. The only reason for that was due to the outdated laws in place and the mythical paradigm that mothers can care for children under 5 better than dad.

Parenting is not a gender issue. Shouldn't both parents be deemed equally fit for parenting unless it is proven that one of them is not? In a court of law, you are innocent until proven guilty. Why is a father deemed unfit to equally parent solely because of his gender? If both parents have demonstrated desire and responsibility with no other extenuating circumstances, why is it better for a child to spend more time with one loving parent over another?

Having gone through the Family Court system, I can unequivocally state to you that the deck is stacked against dads in favor of the moms. Dads currently have almost no chance at a 50/50 parenting time with their child, unless they have the financial means to fight in a lengthy court battle. I was told by my attorney early on that I would be extremely fortunate to get 50/50 parenting time because of the current guidelines that the courts follow. I hold no animosity toward the Judge or the County evaluators that were involved in my case. I know that they were following guidelines that were established decades ago, and I know that they had to follow them or risk their decisions being overturned in appeal. The guidelines are outdated and we need change the laws so the Judges and County appointed evaluators are able to make the right decisions for children without fear that their rulings will be challenged and overturned.

There has been no justice for Jude in my case. The only thing I can do now is to tell Jude's story and hope that it will make a difference for other children. I hope to bring forward future legislation called "Jude's Law" that will expand on the mental health issue, but I respectfully ask that you provide your support to this bill for my son Jude's memory and the possibility that it may help other children to provide the nurturing they need from both healthy parents.

Thank you for hearing Jude's voice.



Respectfully,

Jeff Sandberg
Jude's Dad