

**WRITTEN TESTIMONY OF DR. JOEL N. MYERS, CHAIR, DADS' RESOURCE CENTER
To The Ways and Means Workers and Family Support Subcommittee of the
United State House of Representatives
Hearing on Celebrating Fathers and Families: Federal Support for Responsible Fatherhood
Submitted: June 25, 2019**

Just like mothers, fathers have many unique things to offer their children. They are role models, caretakers, providers, teachers and advocates. When children have the benefit of access to and involvement with both their mother and father, they are more likely to excel in school, achieve emotional well-being, and be less likely to engage in drugs and other risky behavior.

Nationwide, approximately 24 million or 35% of our nation's children are being raised in single-parent households often without access to their fathers and the emotional and financial support dads can provide. In my home state of Pennsylvania, nearly 900,000 or 34% of children reside in single-parent homes. According to data collected by the Pennsylvania Partnerships for Children, an estimated 315,270 or 46% of children in single, female-headed households are living below the 100% poverty level.

Why don't more fathers stay involved in their children's lives? Admittedly, some don't even try. This is unacceptable for everyone, and we must do our best to change this.

The overwhelming majority of fathers do want to play the significant role their children need. However, when there are parental separations, sons and daughters are far too often denied access to their dads because of biases in the court systems and the state agencies that are charged with ensuring the well-being of children.

I founded the Dads' Resource Center in Centre County three years ago to help promote the well-being and healthy development of children from separated or divorced families, supporting and encouraging fathers to be fully active and engaged in the lives of their sons and daughters. We believe society, the courts, and social agencies have an obligation to do all they can to ensure this happens, so dads can provide the input, the time, as well as the emotional, and financial support that their children deserve and require.

The research is clear: father involvement is associated with better outcomes for child well-being. Children who maintain healthy, quality relationships with both their moms and dads

following parental separations experience better adjustments and more positive rates of development compared to when those relationships are absent and adversarial. Father involvement is a key protective factor for children that aids in the development of resilience and mitigates many psychological and social risks as the child heads towards adulthood. Children with involved fathers have lower rates of drug and alcohol involvement, truancy, delinquency, and trouble with the law, gang involvement, educational underachievement or dropout, self-esteem issues, depression, anger and even physical illness.

We believe that the presumption should be that children have a right to access both of their parents and parents have a right to maintain access their children. The lens through which we look at all issues surrounding families should be what accrues to the maximum benefits of children. The goal of my organization and my advocacy is not to diminish the role and importance of mothers, but rather to:

- Acknowledge as a matter of public policy that father involvement in the lives of their children is ideal and good for the health and well-being of children, families and society as a whole;
- Remove barriers that impede the emotional, social, physical, intellectual, spiritual and financial contributions that fathers can and do provide to the well-being of children and families;
- Strengthen families to better support children; and
- Put fathers on an equal footing with mothers.

Dads' Resource Center is a member of a Pennsylvania-wide coalition known as the Symposium Organization Coalition (SOC), which is organized around reforming 10 areas of the state system that disenfranchise fathers, as more fully set forth in a detailed and well researched [report](#) issued by SOC in March of this year. These areas for reform are:

1. Administration of Justice and Public Safety
2. Behavioral Health

3. Child Support and Custody
4. Dependent, Delinquent Children and Youth
5. Early Childhood Development
6. Education
7. Employment and Training
8. Housing and Homelessness
9. Parental Education and Support Services
10. Public Health

The SOC is now working with members of the Pennsylvania General Assembly and Governor Tom Wolf to establish a "Pennsylvania Commission to Promote Greater Father Family Involvement," a legal entity that would promote father contributions to the well-being of children and families across the Commonwealth of Pennsylvania, regardless of race, economic or social standing. Pennsylvania is well-positioned not only to overcome the barrier to father involvement but also to actually become a national leader in the movement to increase father presence and greater father involvement with their children.

As a scientist, I am persuaded by data and Dads' Resource Center has been extensively engaged in undertaking credible research and fact finding on issues impacting father involvement. Earlier this year, we conducted a study of custody determinations by Pennsylvania courts in 14 counties for contested custody cases starting in 2016. Of the 700 cases reviewed, the average custody time awarded by the courts for contested custody cases was 69% to mothers and 31% to dads. Mothers received either full or primary custody in 496 cases and fathers received full or primary custody in 100 cases. Parents were awarded joint custody in 104 cases.

Because of these unfair and skewed outcomes, dads are often advised by their attorneys to not even bother trying for equal custody, which by law is supposedly the presumption before courts get involved.

Knowing the likely outcomes, fathers usually settle for less, and sometimes much less, time with their children rather than spending money on attorneys and court fees to fight what is often a losing battle. The mediation process can similarly be biased against dads.

The fact is Pennsylvania family courts perform dismally, applying outmoded approaches to complex problems. They are decades behind the realities of modern American life. With such a large percentage of our children at their disposal, their dysfunction has become a serious state and national problem.

We know, for example, that despite what the law states, judges tend to grant primary custody to moms for no other reason than tradition. We know that single fathers have at times been somewhat maligned in the press by being labeled as irresponsible or deadbeat. Bias comments and negative generalizations that are sometimes used to describe divorced dads would not be tolerated if used against protected classes of people.

To help improve judicial performance around the issue of custody, my organization has called for the Pennsylvania Supreme Court to task the Administrative Office of Pennsylvania Courts to assess how our county courts determine custody. This would include data on the amount of custody time awarded to parents, possible unfair patterns that become established by specific courts, and variables including parental alienation. We believe that the result of such a study will create the opportunity for compulsory training for judges and attorneys, with a focus on the importance of ensuring that children have the opportunity for the active involvement of both parents in their lives.

Additionally, Dads' Resource Center has also asked that a working group be commissioned to consider options to rework family court rules in a manner that better serves children.

Our second study concerns potential bias in the Offices of Children and Youth. It goes without saying that the safety and welfare of our children is of paramount importance. Those who work in the Offices of Children and Youth perform a critical service, and work tirelessly to ensure the well-being of youth in potentially dangerous circumstances.

Courts often defer to the expertise and training of CYS workers and their supporting agencies when making decisions relative to the well-being of children.

However, when courts become involved with families due to the involvement of Children and Youth, established custody agreements often are instantly reset without the due process of a custody hearing. In other words, the CYS personnel have enormous power.

To help understand the role that these offices play, Dads' Resource Center undertook a study of the ratio of male to female staff and supervisors in the Pennsylvania Offices of Children and Youth for 2018. Pennsylvania's child welfare system is state supervised, primarily county-administered, largely outsourced to private entities, and frequently called on for input into custody decisions.

In this study, we found that a ratio of female to male case workers is 82% to 18%. Similarly, for Children and Youth Supervisors, that ratio is 84% female to 16% male. This extreme disproportion of female to male workers reinforces the perception that fathers can be treated unfavorably when CYS becomes involved with their families and in custody hearings.

My organization has called for the establishment of metrics to quantify how successful offices are in ensuring that children are getting the opportunity to have both parents actively involved in their lives. This information can be used to put forward proposals that would enable county offices to develop more father-friendly cultures, including highlighting fatherhood during the interviewing and hiring process, developing father-focused policies and local-based initiatives that focus on fatherhood. We have also recommended that each Children and Youth office have "fatherhood specialists" who are provided with additional training and resources to more effectively work to engage disaffected fathers and assist disenfranchised fathers.

A third study that Dad's Resource Center has conducted involves the highly sensitive and important topic of Protection from Abuse (PFA) Orders. The worst component of some marital and relationship breakups, and the most difficult to discuss for several reasons, is abuse. Of course, any kind of relationship abuse is reprehensible and is destructive to the adults involved as well as to the children. We all must stand firmly against any and all types of relationship abuse with a zero-tolerance position.

Through decades of advocacy, advertising campaigns, and the implementation of legislation, the term "domestic violence" has become synonymous with men acting violently

toward women. However, according to the 2010 National Institute Partner and Sexual Violence Report, 26% of men reported that they have been victims of physical violence by an intimate partner.

It has been tough for society to recognize how frequently the female partner abuses the male partner, and equally tough for males to accept or admit that they are actually being physically or mentally abused. Even if men bring themselves to acknowledge they have been abused and call it out by name, they are reluctant to report it because they often fear being ridiculed. We believe that the 26% abuse rate of men is likely far lower than actual experience.

Last year, Dads' Resource Center issued a study of the use of PFA orders, which have a legitimate and life-saving purpose if properly used.

Unfortunately, we have found PFAs are frequently used as an offensive strategy in divorce and custody proceedings, are disproportionately issued against men, and play on bias against fathers. In my home county, Centre County, in 2016, of the 197 approved temporary PFAs, 170 were male defendants and 27 were female defendants. Of the 86 cases that involved both parents of a child or children, 76 defendants were males and 10 defendants were females.

Our study looked at PFAs issued in 12 counties in 2017:

- 89% granted, 11% denied
- 24% resolved by stipulation of parties
- 20% issued by final order following evidentiary hearing
- 17% of petitions withdrawn by petitioners
- 12% of petitions were terminated for failure of petitioner to attend hearing
- 11% of petitions terminated for other reasons, non-specified
- 9% dismissed after 10-day hearing
- 4% terminated due to denial of final order
- 3% ended in final order denying petition following evidentiary hearing.

Dads' Resource Center has recommended that Pennsylvania convene a working group of judges and attorneys to identify what data should be collected in order to quantify the extent to which "gaming of the system" through the use of PFAs exists. Based on this group's findings, corrective action should be taken to prevent such behavior in the future and to disincentivize current practice.

Currently, Dads' Resource Center is working on two additional studies, one focused on Guardian Ad Litem (GAL) and the other on mediated custody settlements.

GALs hold great sway on behalf of the children they represent in the courts and human services systems. Given the influence that they have, there are few standards and little accounting for their activity. There is a large disparity in the qualifications, requirements and training for Guardian Ad Litem from county to county.

At a minimum, we will be asking for clear standards to be established on how to become a GAL and what kind of initial and ongoing training should be required. In addition, a tracking system must be put in place that can follow and quantify the actions that GALs take on behalf of children.

Most counties in Pennsylvania require mediation in divorce cases. The outcomes from custody decisions by the court are public record. This is not the case for mediation, however. Some mediation results are forwarded to the court to be made an order. Some are forwarded to the court, but not put into the record. Some are not forwarded to the court at all. It is impossible to quantify in any meaningful way the outcomes of mediated custody, yet they have a huge impact on custody outcomes.

We know through matrimonial lawyers that fathers very often are overly deferential in the early stages of the breakup of a family, and susceptible to being dissuaded from seeking shared custody to make the transition easier for their children. We have absolutely no data to assess if there are trends that might indicate biases toward fathers in the mediation process.

Dads' Resource Center is asking that all results from mediation should be reported and compiled at the state level and that a working group of mediators appointed by the

Pennsylvania Supreme Court should analyze this data to see if disparities exist and whether new procedures should be implemented to ensure that children have the best opportunity to have the active participation of both parents in their lives.

It is clear to us through our studies, research and experience that the system is clearly broken. The negative predispositions toward fathers are known, accepted and institutionalized by the legal profession, the courts and the state agencies responsible for the well-being of children. This is wrong, and it hurts the children they are supposed to be helping.

We can and must rebalance the system in a manner that better serves the interests of our children and society and promote gender equality among all parents and to benefit our children.

Raising our kids is our duty and can be our greatest joy. Children need and crave both of their parents to be actively involved in their lives to help them grow emotionally, socially, physically, intellectually, spiritually, and financially into the productive, healthy adults we want and need them to be.

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