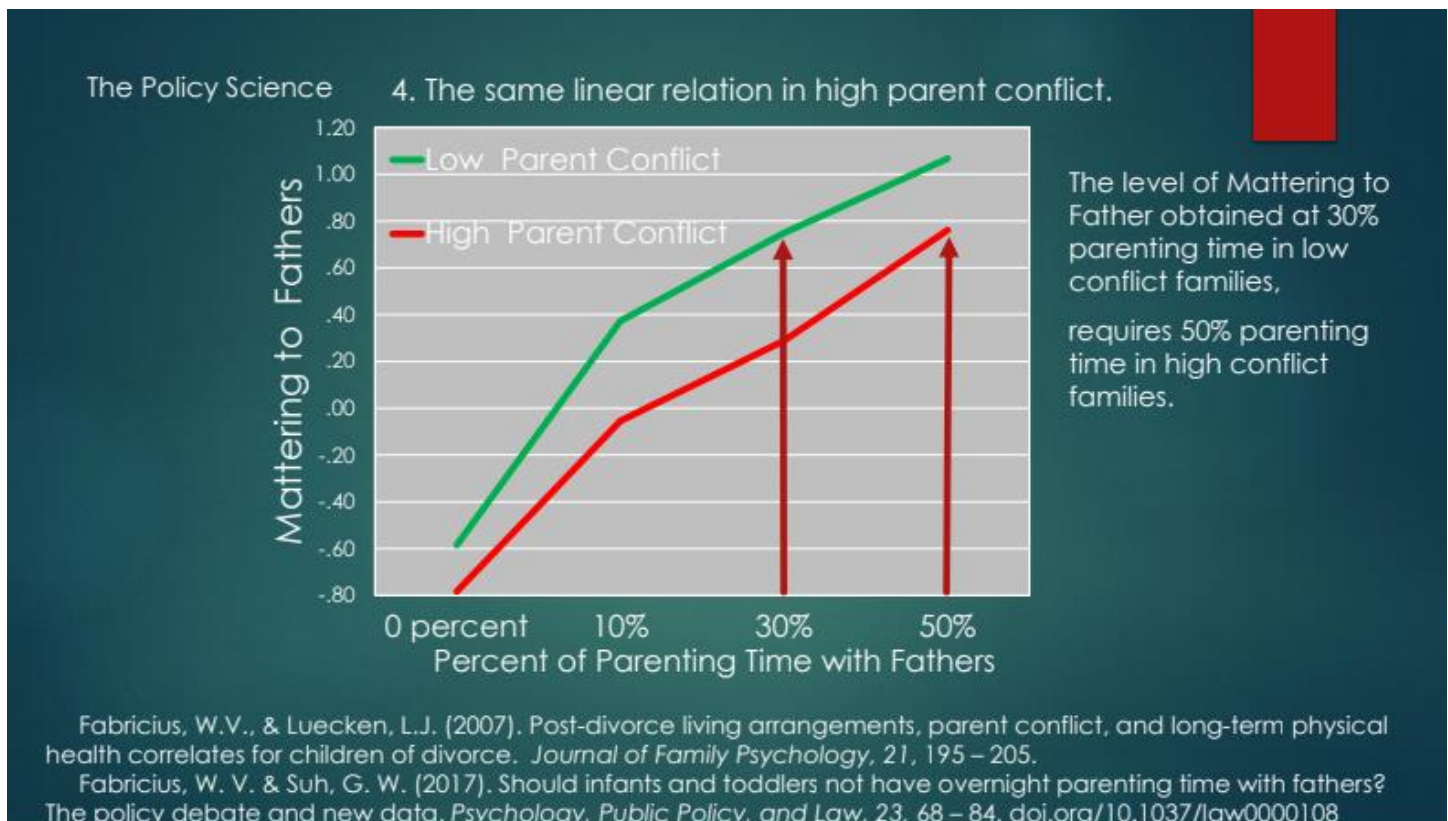


HB 803 Does Equal Parenting Work For High Conflict Divorces?

Under the current Texas Family Code, only parents that agree to equal parenting time have that option available. Many people believe that equal parenting time is unworkable with high conflict scenarios. However, all the elements of custody exchanges and parenting decisions are also involved with a standard or expanded possession schedule. In any event, the goal of shared parenting legislation is to protect the child and to provide an environment that he/she can flourish. It is not to get the parents to become friends again, although one of the benefits of shared parenting is that it significantly diminishes parental conflict quickly.¹ When we speak of high conflict divorce, we mean a high level of disagreement and extensive litigation in the courtroom over parenting time. We do not mean parents where physical violence or sexual violence has occurred. Those parents are already prevented from shared parenting by current law because they cannot become joint managing conservators.

The best interest of the child in high conflict scenarios is to provide the child emotional stability and to maximize a child's self-worth. To be clear, conflict between parents hurts children. However, to reduce time between a parent and child in a high conflict, hurts the child further. It punishes the child for the parents' inability to get along.

Below is a graph on how children view themselves and value their self-worth in both low conflict and high conflict scenarios. As you can see, conflict does have an effect on a child's emotional well-being. It requires more time with a father, not less, to achieve the same level of emotional well-being in a high conflict divorce. This is exactly the opposite of what we have been conditioned to think about high conflict divorces. HB 803 protects children when parents can't agree.



¹ Kruk, Edward Ph. D., 2012, May 15, Co-Parenting and High Conflict, www.psychologytoday.com