

Group of Park River-area women seeks

By: **TJ Jerke**, Forum News Service

BISMARCK -- A group of 25 Park River-area women has asked the secretary of state for a petition to let voters create a law that would give both parents equal parental rights and decision-making responsibility in a child custody case.

Jill Bjerke, chairwoman of the requesting sponsoring committee, said North Dakota law makes it difficult for one divorced parent to have an influence in a child's life, so she initiated the law to make sure a child doesn't lose access to his or her parent following a divorce or separation.

"It would eliminate the control of a child by one person," she said. "In most divorces or separations, you've got animosity and the parent that has full custody will use their power to punish the other and the child ends up suffering."

The initiative would create a definition in state law for "equal parenting time" that would ensure equal time-sharing of a child with both of the child's parents, or require a mutually agreed upon and signed parenting plan between the parents.

Secretary of State Al Jaeger said he received the final documents for a request to approve Bjerke's petition just after 4 p.m. Thursday. Jaeger and Attorney General Wayne Stenehjem have until June 17 to write and send Bjerke a petition title, a short statement that fairly represents what the group wants voters to approve and will be on each circulating petition.

Once Jaeger and Stenehjem approve, the committee can begin obtaining signatures.

The committee must submit its petition with at least 13,452 signatures by March 12 for the initiative to be on the June 2014 primary ballot, or one year after the petition title is approved for circulation, in which case it could be placed on the 2014 general election ballot.

This isn't Bjerke's first push to change laws to help provide equal parenting time.

She helped get passed similar language in Walsh County in November, with the language receiving 66 percent of the county vote.

But now, she said, the attorney general has said the Walsh County language supersedes state law and his office is trying to intervene with the county's vote, which is helping her push to put the initiative on the statewide ballot.

She has also been inspired by her boyfriend, Mitch Sanderson, who was behind the failed ballot initiative in 2006 that sought to provide both parents with joint legal and physical custody unless first declared unfit based on clear and convincing evidence by a court.

She said that after the initiative failed, lawmakers said they would beef up child custody laws but they didn't follow through.

“The only changes that were made were cosmetic, they didn't change anything in the law,” she said. “The bottom line is our state does not want this, our state is profiting from not enforcing the laws. They create angry fathers, feed domestic violence. It's breeding destruction. None of it is good for kids.”

Overall, if passed by the voters, she said the law would provide more leverage for divorced parents wanting to see their child more, help ensure parents are not denied their parental visits and help curb the psychological effects children develop after a divorce.