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Member Agencies

Blackstone Valley
Advocacy Center

Domestic Violence
Resource Center of
South County

Elizabeth Buffum
Chace Center

Women's Resource Center

Task Force

Sisters Overcoming
Abusive Relationships

Affiliate Members

Center for Southeast Asians

Crossroads Rhode Island

Family Service of Rhode Island

McAuley Ministries –
McAuley Village

Progreso Latino

YWCA Rhode Island

To: Representative Carol Hagan McEntee, Chair of the House Judiciary Committee
Honorable Members of the House Judiciary Committee

From: Lucy Rios, Executive Director
RI Coalition Against Domestic Violence

Date: April 9, 2026

Re: Opposition to House Bill 7821, Codification of 50/50 child custody

On behalf of our network of member agencies and SOAR, our taskforce of Rhode Island survivors, the Rhode Island Coalition Against Domestic Violence (RICADV) appreciates this opportunity to express our **strong Opposition to House Bill 7821, regarding codification of presumptive “50/50” shared legal and physical child custody in RI’s family law statute.** This bill would erase judicial discretion in the RI Family Court by mandating a “rebuttable presumption” that joint legal custody and equally shared parenting time is in the best interest of the child. This seismic change in the Family Court’s governing divorce and child custody statute, *RIGL 15-5-16*, would tie the hands of judges, requiring them to impose a rigid formula rather than place the child’s own nuanced best interests, safety and welfare at the center of the unique case-by-case determination.

Child custody and parenting time decisions require flexible judicial discretion and care in assessing the totality of the circumstances of a family situation, not a one-size-fits-all formula that shifts the burden involved when serious matters are present in family litigation, such as evidence of child abuse, family violence and domestic or sexual abuse of a parent or child. The codification of this legal concept in our divorce and child custody statute would impair judicial decision making and would be highly dangerous for survivors of domestic and sexual violence and their children.

RI SOAR members in our Coalition’s survivor taskforce have shared many harrowing stories about their experience litigating custody and divorce matters with an abusive ex-partner. The abusive party often has more power, financial resources and access to other people in positions of power, and abusers are adept at manipulating systems and presenting in public as a model citizen. These experiences from local survivors are horrific enough, without the added power imbalance that an abusive party would gain with a legal 50/50 shared custody law giving them additional power and control over their victim.

As [Peter Jaffe, psychologist, professor and faculty member](#) of the National Council of Juvenile and Family Court Judges observed, **“parents who enter the justice system to litigate about child custody or access have passed the point where shared parenting should be presumed or even encouraged.”**¹ By the time parties appear at a divorce or custody hearing, they have demonstrated an inability to agree on any shared parenting arrangement or consensus on the child’s medical, educational or religious needs.

Critically, the respected *National Council of Juvenile and Family Court Judges (NCJFC)* disfavors such rigid cookie-cutter rebuttable presumptions. Instead, their most recent family law and domestic violence model code, [the 2022 Chapter Four of the](#)

¹ Jaffe, P. (2014) *A Presumption Against Shared Parenting for Family Court Litigants*. Family Court Review, 52: 187-192. doi:10.1111/fcre.12081. See also Bala, N., Birnbaum, R., Poitras, K., Saini, M., Cyr, F. and LeClair, S. (2017), *Shared Parenting in Canada: Increasing Use But Continued Controversy*. Family Court Review, 55: 513-530. doi:10.1111/fcre.12301 (“Social science research does not support enactment of a presumption of equal parenting time. ... The research also reveals real concerns about the negative effects of high parental conflict or violence, especially if there is shared custody.”)

[Model Code](#), offers an updated nuanced and flexible *best interests of the child* approach which focuses decision-makers on “the nature and context of the abuse in each case, the future risk to the parent who is abused and [the risk] to the child, and the ability and willingness of the parent who is abusive to safely focus on the needs of the child.”

For all of these reasons, and for the safety and welfare of the children involved in such sensitive legal proceedings, we urge the Committee to reject this dangerous proposed legislation.

Thank you for your consideration of our firm opposition to this bill that would be harmful to survivors and decrease safety and justice for victims of domestic and sexual violence and their children in Rhode Island.