

Findings Appendix

Non-Statutory Companion Document

FINDINGS APPENDIX

(Non-Statutory Companion Document)

Purpose:

This appendix is published alongside For Our Children and Families to document the factual basis, policy rationale, and systemic harms addressed by the Act. It is not statutory text, does not create enforceable rights or duties, and is intended to inform the public record, courts, journalists, and voters.

A. Maine Family Court Backlog and Delay

Maine family courts routinely experience extended interim periods between filings and final orders. Children remain in unresolved custodial limbo during delays measured in months and years, not weeks. Interim orders, originally intended to be temporary, often become de facto permanent arrangements.

Impact on children:

- Educational disruption
- Attachment insecurity
- Behavioral regression
- Increased exposure to adult conflict

B. Litigation Escalation and Cost Harm

Contested custody matters frequently involve serial motion practice unrelated to child safety. Attorney fee escalation is structurally incentivized by adversarial timelines. Family financial resources intended for children are depleted before resolution.

Key observation:

Children bear the cost of litigation long after proceedings end.

C. Educational and Developmental Impacts of Prolonged Conflict

Research consistently shows that prolonged inter-parental conflict correlates with:

- Lower educational attainment
- Increased absenteeism
- Anxiety and depression
- Reduced long-term earning potential

These effects persist independent of final custody outcomes.

D. Abuse of Protective Allegation Processes

Protective order systems are essential for real victims.

However, repeated unsubstantiated allegations, particularly when strategically timed, have been used to:

- Delay proceedings
- Exclude a parent without adjudication
- Establish false narratives before fact-finding

The Act targets misuse, not reporting.

E. Neutral Fact-Finding Deficit

In many cases, adversarial framing occurs before any independent investigation.

Once narratives harden, correction becomes difficult - even when allegations are disproven.

Sequencing matters.

Fact-finding first reduces harm without silencing anyone.

F. Transparency Deficit

Aggregate data on hearing frequency, fee escalation, Guardian ad Litem utilization, and duration to final order is not currently accessible to the public in a unified form.

Transparency enables reform without punishment.

Conclusion:

The Act responds to systemic failures documented across courts, families, and child development research by reordering process - not by weakening protections or rights.