

National Parents Organization of South Dakota  
National Parents Organization

August 18, 2025

South Dakota Commission on Parenting Time Guidelines  
c/o State Court Administrator's Office  
500 E. Capitol Avenue  
Pierre, SD 57501

RE: Recommendations for Strengthening South Dakota's Parenting Time Guidelines

Dear Members of the Commission,

On behalf of the National Parents Organization of South Dakota and the National Parents Organization, we thank you for your dedication in reviewing the Parenting Guidelines under SDCL 25-4A-10. This process comes at a pivotal moment for South Dakota families and offers a rare opportunity to ensure the guidelines serve the best interests of children.

The most important work before the Commission is making sure the guidelines are not only legally compliant but also practical and effective in the day-to-day realities of family life. In practice, these guidelines often become both the temporary and long-term parenting plan. Their completeness, clarity, and design are critical. At present, the Guidelines are too narrowly tailored and are interpreted as ceilings rather than starting points, often being used to unjustifiably limit a parent's involvement. Importantly, these Guidelines already define their scope of use and *do not* apply in cases where a child's physical or emotional safety is at risk, such as situations involving family violence, substance abuse, serious mental health concerns, or other factors that may impair parenting. In cases where the Guidelines do apply, they do not provide sufficient definitions, practical tools, or structured guidance to help parents and courts create arrangements that preserve and strengthen a child's relationship with both parents. Updating the Guidelines to clearly encourage maximizing meaningful time with each parent, while accommodating the unique circumstances of each family, would provide courts and families with a framework that promotes consistency, fairness, and the child's best interests.

Our recommended updates, attached to this letter, shift the guidelines from a minimal compliance document to a comprehensive, research-based framework. This framework should give families structure, clarity, and flexibility. It should help reduce conflict, encourage cooperation, and ensure children have the opportunity to build and maintain secure, lasting bonds with both parents. It is not about prescribing one plan for every family. It is about giving courts and parents the best tools and guidance to create the healthiest plan for each child.

Why these changes matter:

- Decades of studies show that children do best when both fit and loving parents remain actively engaged in their daily lives, starting in infancy and continuing through all stages of development, even when there is moderate parental conflict. (See, for example, [Warshak, 2014 consensus report \(PDF\)](#); [Fabricius et al., 2012](#).)
- More than 50 independent studies show that parenting plans which maintain strong, ongoing relationships with both parents improve outcomes in academics, mental health, family relationships, and behavior. This holds true even after accounting for conflict and income ([Nielsen, 2018](#); [Braver & Lamb, 2018](#); [Bauserman, 2002](#)).
- Public support for maximizing meaningful time with each parent is overwhelming in South Dakota. Ninety-eight percent (98%) of residents believe it is in the child's best interest to have as much time as possible with each parent, and 93 percent believe that both parents should have equal rights and responsibilities following divorce or separation. (<https://sharedparenting.org/s/NPO-South-Dakota-Polling-Report.pdf>).
- These figures underscore overwhelming community agreement in favor of children spending substantial time with each parent unless evidence demonstrates that doing so would be contrary to the child's best interests.
- Other states have seen measurable benefits:
  - In Kentucky, after adopting an equal shared parenting presumption, domestic relations cases with domestic violence filings dropped by more than half. Child welfare investigations decreased by 30.9 percent and substantiated child victims decreased by 33.2 percent. Between 2018 and 2022, Kentucky investigations were down 37 percent and substantiated victims down 48 percent ([Child Maltreatment 2022 report, ACF](#)).
  - In Arizona, shared parenting guidelines gained steady support from court staff, judges, mental health professionals, and attorneys over time. ([Fabricius et al., 2021](#).)
- When one parent is marginalized, children face higher risks of school failure, behavioral problems, early pregnancy, substance abuse, and even suicide ([Kruk, 2012](#)). Strong, consistent involvement from both parents is one of the most effective ways to protect against these risks.

#### Additional Recommended Enhancements:

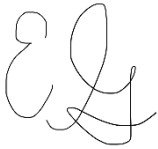
1. Standardized Parenting Plan Templates – Provide printable worksheets and online interactive formats, similar to other states, to help parents and courts create clear, detailed, and enforceable plans.
2. Definition of “Shared Parenting” section – While shared parenting may not be appropriate in every case, the Guidelines should identify it as the preferred arrangement when both parents are fit, available, and able to meet the child’s needs. Explicitly encouraging shared parenting in such circumstances provides families and courts with a clear benchmark, promotes consistency in decision-making, and aligns with a substantial body of research demonstrating the benefits of frequent, ongoing, and meaningful contact with both parents.
3. Use of Established Co-Parenting Tools – Recommend platforms such as OurFamilyWizard or CustodyXChange for scheduling, communication, and documentation to help reduce misunderstandings and conflict.

While the current guidelines meet the letter of the law, both the research and the experiences of South Dakota families show they do not meet the full intent of the law. These changes are practical and flexible enough to fit many different family situations. They also recognize that in most cases children benefit greatly from substantial, meaningful time in the care of both parents.

We urge the Commission to make South Dakota’s Parenting Guidelines a model of child-centered policy that balances legal requirements with practical, research-driven strategies to protect children’s relationships and futures.

Thank you for your service to South Dakota's families and for considering these recommendations. We are ready to assist with template language, research, and implementation planning.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'EG', with a stylized, cursive flourish.

Eric Grover, CSW-PIP QMHP  
State Chair, South Dakota National Parents Organization

A handwritten signature in blue ink, appearing to read 'Don Hubin', with a stylized, cursive flourish.

Donald C. Hubin, Ph.D.  
Chair, National Board, National Parents Organization