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is the psychological parent, and after repeated lengthy separations, she or he may learn not to expect it. With a child, joint custody doesn't work very much...very well when a child is taken away from the parent who is the one who feeds them, wakes them, protects them and nurtures them. And if you move that child around for lengthy periods of time, it injures this connection. After age five to seven, children's...

SENATOR WICKERSHAM: One minute.

SENATOR LANDIS: ...increasingly cognitive and emotional maturity may well allow more complex parent-child relationships. In other words, if we do this from what's good for parents, joint or shared custody, we ignore child development reality, which is that children in either one of two situations, high-conflict families or very young children, do not fit joint custody well. Now, you get a child past tender years who is not in a family with a high amount of dispute, and joint custody works pretty darn well; it's okay there. But we're trapped here in the law by trying to pick between contesting groups of parents by writing these rules. Let me tell you various ways out of this as far as I'm concerned. You strip this bill of all this language and take the language that Senator Crosby has in her original bill that strikes making joint custody "an agreement by both parties", and you will have taken a step forward;...

SENATOR WICKERSHAM: Time.

SENATOR LANDIS: ...you will have taken joint custody out as a weapon from at least one of the fights that now goes on. That would be an improvement.

SENATOR WICKERSHAM: Senator Brown.

SENATOR BROWN: Mr. President, members of the Legislature, I am glad to be able to follow Senator Landis, because I think that he is getting us back to the reason that we are talking about this bill. I'm also glad to follow him because I'm going to disagree very vehemently with some of the assertions that he has made. I believe absolutely in attachment of children. I believe that it is the most critical piece about how children