

Mark E. Hudson, M.D.
36 Little Mingo Rd.
Finleyville, PA 15332

I would first like to thank all of you for allowing me to testify today in support of HB 1140. I hope this committee will seriously address the issue of paternity fraud and send a clear message supporting truth and honesty.

Imagine if you were a victim of Bernie Madoff's fraud scheme, contributing \$1400 of your hard earned income monthly. Now imagine if, even after confirming the fraud, the court decides that Mr. Madoff can keep the money he stole from you, and also forces you to continue giving him \$1400 a month. Unfortunately, this is the decision made in most paternity fraud cases in Pennsylvania.

My name is Mark Hudson and I am a victim of paternity fraud. I discovered after 12 years of raising a child as my own that I was not the biological father. The following three years I struggled through the mire of family court, spending thousands of dollars on attorney's fees and court costs, imposing unimaginable tension and stress on my family before finally obtaining relief in Pennsylvania Superior Court, and this was after I had enriched my ex-wife by nearly \$100,000 supporting another man's child. I vowed to work to correct the system and lobby for laws that change the current culture of enablement and reward for liars and cheats.

The selfish decision by a woman not to acknowledge the true parentage of their child ripples through victim's lives. My life was turned on its head when I discovered that the child I had raised for 12 years was not mine. And then to see our relationship destroyed and the courts decision that I had to continue paying support because of outdated "presumption of paternity" law was maddening. Think of all the victims in my case. I was duped out of nearly \$100,000 dollars, my family was robbed of the use of this money to benefit them, this child was robbed of the chance of a relationship with his biologic father, grandparents missed the chance to love this child and the biologic father was robbed of the chance to be this child's father - all by the selfish decision by one deceitful woman. And how do family courts respond - by continuing to enable and reward the deceit. In my case, the perpetrator of this fraud lived in one of Pittsburgh's most prestigious neighborhoods in a \$600,000 house as my "child support" enriched her life at my family's expense.

Once fraud is identified, in the current legal environment, additional burden is placed on these men. Most men do not have the resources that I had for this challenge and therefore women continue to be rewarded for this bad behavior - currently no penalty exists for paternity fraud. At the superior court level, it is acknowledged that there is "strong public policy against permitting a party who acted in reliance upon a misrepresentation to suffer harm". However, there is no public policy or legislation that addresses the issue directly in Pennsylvania.

It is clear that the family courts struggle with the issue of paternity fraud. The family court system is ill equipped to decide consistently on issues of paternity fraud and must move

past the current "presumption of paternity" in family law. Evidence suggests that 10-30% of men are incorrectly identified as the biologic father. The cost of pursuing paternity fraud justice often exceeds the potential relief and therefore the cases are not pursued - and the cheating stealing women continue to collect. Family courts "best interest of the child" conflicts with truth and honesty and robs many unknowing biological fathers of the opportunity to participate in their child's life. How can lies and deception ever be in the best interest of the child? The estimates are that 30-70% of family court cases are decided not based on law, but based on attrition - one side gives up. What ever happened to equal justice under the law?

Current case law requires that "fraud" be proven BEFORE paternity testing is admissible in family court. Isn't it the paternity testing that demonstrates the fraud?? Currently, a woman can submit DNA evidence to identify the biologic father but men are unable to submit DNA evidence to dispute paternity. Current case law enables and rewards women who perpetrate this fraud and punishes all those who have acted in good faith. It destroys families, deprives biologic fathers of the opportunity of fatherhood, and traps men in the complicated situation of pursuing the truth and risking the relationship they have with the child. The court requires that the men disengage themselves from relationships with the child to pursue a paternity fraud action. How is this in the best interest of the child?

Paternity fraud must be legislated outside of the family court system. No man should be forced to support a child that is not his. No family should endure the burden of paying for someone else's child. Every child should know their true biologic father and every biologic father should have the opportunity to be a father. Fraud is fraud, whether collecting money from a duped man, or running a Ponzi scheme, and must be prosecuted similarly under the law.

Hundreds probably thousands of men in the state of Pennsylvania are victims of paternity fraud. You have the opportunity to begin correcting this wrong, by removing the burden currently placed on the victims of paternity fraud, and placing it squarely where it belongs, on the women who perpetrate this fraud. Paternity fraud destroys families, disrupts children, and rewards liars and cheats. Let's put a stop to this injustice.

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