Dear Legislator –

The substitute bill for H.B. 14 does not alleviate our serious concerns.

We remain opposed to any proposal that creates a “presumption of equal parenting” which puts the rights of parents over the best interests of a child. We, along with over 90 legal, child, and family-focused organizations, have made that clear to the sponsors and proponents of the bill (complete list on page 2).

For decades, Ohio law has required judges to focus on the best interests of the child in any domestic relations or juvenile court proceeding. Ohio law provides a comprehensive list of factors for judges to consider in making these determinations. Substitute H.B. 14 makes “equal parenting time” and “equal decision-making” to both parents the first consideration creating significant, negative consequences.

As the default position in all custody cases, these presumptions could only be overcome by a finding made by preponderance of the evidence that equal time and/or equal decision-making would be detrimental to the child. Even when no legal relationship with the child has been established, a person can petition for custody and the court could grant it. Ohio will be the first state in the nation that requires a presumption of equal parenting time which must be overcome by showing the arrangement is a detriment to the child.

The presumption requirements that remain in the substitute bill will result in nearly insurmountable burdens for victims of domestic violence and child abuse. The substitute bill:

- Allows an abusive parent immediate access to their children and unfairly burdens the victim of abuse with rebutting this presumption. Considering the prevalence of domestic violence in litigated custody disputes, this burden weighs heavily on domestic violence survivors.

- Creates a chilling effect on victims, who will be afraid to present evidence that the other parent is unsafe. Even if the presumption of equal decision-making is rebutted, those responsibilities might be awarded to the “nondisruptive parent” or one who has “demonstrated a greater and consistent willingness to cooperate” with the other parent.

- Eliminates the long-standing practice of judicial discretion on a case-by-case basis for the best interests of the child.

The original concerns with the bill remain and can be found in our opposition letter to the introduced version of H.B. 14. The limited court discretion in the substitute bill does nothing to mitigate the damage this bill would cause. We remain opposed to substitute H.B. 14.
**Vote NO on H.B.14**

Protect the Best Interests of Children

More than 90 organizations are opposed

### Statewide Organizations

- Ohio Judicial Conference
- Ohio Chapter of the International Association of Forensic Nurses
- Ohio Poverty Law Center
- Ohio Domestic Violence Network
- Ohio Alliance to End Sexual Violence
- Ohio State Bar Association
- Ohio Association of Juvenile Court Judges
- Ohio Hispanic Coalition
- Action Ohio Coalition for Battered Women
- Ohio NOW Education and Legal Fund
- Ohio NOW
- American Academy of Matrimonial Attorneys—Ohio Chapter
- Ohio Psychological Association
- National Association of Social Workers—Ohio Chapter
- Ohio Victim Witness Association
- Women’s Public Policy Network

### Local and Regional Organizations

- The Center for Family Safety and Healing / Franklin Co.
- LSS CHOICES for Victims of Domestic Violence / Franklin Co.
- Advocating Opportunity / Lucas and Franklin Co.
- Hope & Healing Survivor Resource Center—Battered Women’s Shelter & Rape Crisis Center / Summit and Medina Cos.
- Family Crisis Network—Our Home / Mercer Co.
- YWCA of Van Wert County / Van Wert Co.
- Crisis Care Line / Van Wert Co.
- First Step / Seneca and Sandusky Cos.
- The Cocoon / Wood Co.
- Soteria House & New Directions of TNC / Logan Co.
- Southern Ohio Task Force on Domestic Violence / Scioto Co.
- Survivor Advocacy Outreach Program / Athens, Meigs, Perry, Gallia, Hocking, Morgan, and Vinton Cos.
- Sarah’s Friends, Inc. / Williams Co.
- The Center for Child and Family Advocacy Inc./House of Ruth / Henry and Defiance Cos.
- SART Clinic of Northwest Ohio / Fulton Co.
- The Domestic Violence Shelter, Inc. / Richland Co.
- Women Helping Women / Hamilton Co.
- Homesafe Inc. / Ashtabula Co.
- Eve / Washington Co.
- WomenSafe / Geauga Co.
- Safe on Main / Warren Co.
- Someplace Safe / Trumbull Co.
- Safer Futures / Portage Co.

### National Organizations

- National Network to End DV
- National Family Violence Law Center
- National Safe Parents Organization
- Center for Judicial Excellence
- Battered Women’s Justice Project
- Moms Fight Back

Updated 12/06/2023 and will continue to be updated as supporting organizations sign on. Email mariay@odvn.org for more information.