

Vote **NO** on **H.B.14**

Protect the Best Interests of Children

December 6, 2023

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.**

174 E. Long Street, Suite 200
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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
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 Cos.*
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.*

Alliance Area Domestic Violence Shelter /
Stark Co.
COMPASS Family & Community Services,
Sojourner House / *Mahoning Co.*
Family Abuse Shelter of Miami Co. /
Miami Co.
Jewish Family Service Association
of Cleveland / *Cuyahoga Co.*
Genesis House / *Lorain Co.*
New Directions / *Knox Co.*
Domestic Violence Project, Inc. / *Stark Co.*
YWCA Dayton / *Montgomery and Preble
Cos.*
Turning Point / *Marion, Delaware,
Wyandot, Morrow, Crawford, and Union
Cos.*
Project Woman / *Clark, Champaign, and
Madison Cos.*
The Woodlands/The Center for New
Beginnings / *Licking Co.*
Asian Services in Action /
Summit and Cuyahoga Cos.
Tri-County Help Center / *Monroe, Belmont
and Harrison Cos.*
Transitions / *Muskingum Co.*
New Choices / *Shelby Co.*
YWCA of Northwest Ohio / *Lucas Co.*
Forbes House / *Lake Co.*
Journey Center for Safety & Healing /
Cleveland
Auglaize County Crisis Center, Inc. /
Auglaize Co.
YWCA Hamilton / *Butler Co.*
Artemis Center / *Montgomery Co.*
My Sister's Place / *Athens Co.*
Open Arms Domestic Violence
and Rape Crisis Center / *Hancock Co.*

Ohio Guidestone / *Tuscarawas and Carroll
Cos.*
The Lighthouse Inc. / *Fairfield Co.*
Crossroads Crisis Center / *Allen Co.*
Bethany House / *Lucas Co.*
Shepherd's House / *Vinton Co.*
Crime Victim Services / *Allen and Putnam
Cos.*
Peace House / *Fayette Co.*
YWCA Greater Cincinnati / *Hamilton,
Clermont, Brown, and Adams Cos.*
Haven House / *Pickaway Co.*
Family Violence Prevention Center /
Greene Co.
Asian American Community Services /
Franklin Co.
Family and Child Abuse Prevention
Center—Children's Advocacy Center /
Lucas Co.
Ross County Coalition Against Domestic
Violence / *Ross Co.*
ETSS / *Franklin Co.*
A.L.I.V.E. / *Jefferson Co.*
Christina House / *Columbiana Co.*
OneEighty / *Wayne Co.*
Shelter from Violence / *Darke Co.*
Square One / *Gallia Co.*
Safe Harbour Domestic Violence Shelter /
Erie Co.
Alternatives to Violence Center / *Highland
and Clinton Cos.*
ASHA-Ray of Hope / *Franklin Co.*
Rape Crisis and Domestic Violence Safe
Haven / *Ashland Co.*
Alta Behavioral Healthcare / *Mahoning
and Trumbull Cos.*

National Organizations

National Network to End DV
National Safe Parents Organization

National Family Violence Law Center
Center for Judicial Excellence

Battered Women's Justice Project
Moms Fight Back