

**Opponent Testimony – H.B. 508
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**Ohio House of Representatives, 134th General Assembly
Civil Justice Committee**

Chairman Hillyer, Vice Chair Grendell, ranking member Galonski, members of the House Civil Justice Committee. Thank you for the opportunity to provide testimony today in opposition to House Bill 508.

I am an attorney with the Legal Aid Society of Cleveland where I represent low-income victims of violence in domestic relations proceedings. I have practiced domestic relations law for about five years.

You have heard a lot of testimony about statistics and studies, and what these studies and statistics say is best for children. But one very important perspective has been missing from this conversation thus far. And that is the perspective of children who lived these situations. Instead of giving you more statistics and studies today, and instead of testifying as a domestic relations attorney, I'm here to speak with you today as a child who grew up to be a domestic relations attorney because of my experience.

I'd like to focus on two points today. First- that equal parenting time is NOT in the best interest of all children. Second- that HB 508 will have a dangerous impact on domestic violence victims and their children. Throughout my entire childhood, I witnessed domestic violence and lived an equal parenting schedule. It was not in my best interest, but the circumstances in my family would have been insufficient to prove a detriment to me by a preponderance of the evidence. By way of background, upon divorcing when I was six years old, my parents split 50/50 equal time with me and my sister. Shortly thereafter, my father re-married and my mother commenced a relationship with a man who would go on to physically abuse her in the presence of myself and my younger sister for almost a decade. Now, I should be clear, I am extremely lucky to have two loving, wonderful parents. But an equal schedule was still not in my best interest.

Equal Parenting Time

You've heard from proponents of this Bill that studies show that equal parenting time is in the best interest of children. But many of these studies are conducted by talking to the parents- not the children. As a former child with an equal time schedule, I will tell you it was hard on myself and my sister. We lived one week with our mom and then one week with our dad, lugging duffel bags to school on Mondays- the day we switched houses. We had no home. We had no place that was truly ours. I felt as though I was a guest, living out of duffel bags and spending so much of my childhood packing and unpacking. While this type of arrangement may work for some families, I find it very dangerous to assume that as long as both parents are "fit" parents, this schedule is what is best for all children.

I implore you to consider this schedule from the perspective of a child rather than the parents. This schedule for me created a sense of not belonging, which has carried over to every area of my life and continues to show itself even today. But this wouldn't have come through in many of the studies. Many of the studies measure outcomes by asking the parents how their child fared. Had my family been subject to these studies, my parents or any objective observer would have reported me to be doing fantastic- straight A's, super involved in school activities and athletics, lots of friends, etc. By not asking me, the studies wouldn't have considered that I was struggling with crippling anxiety and terrible self-esteem.

House Bill 508 focuses on the parents, rather than the children. While it might sound nice for the parents to have equal time so that neither parent "wins" or "loses", the real loser here is the child. This Bill is too consumed with preserving the interests of the parents rather than considering the practicality and the effect on children. Instead, it proscribes a one-size-fits all approach to every family. While I am here today telling you how I felt about growing up equal split households, I want to make clear that this is simply MY experience. I'm sure other children with similar schedules had different experiences. But that is exactly the problem with HB508. It puts all families, and more importantly, all children- regardless of age, special needs, mental health- all under one umbrella and unilaterally decides that the same thing is best for all of them.

Detrimental Impact of Witnessing Domestic Violence

Additionally, HB 508 will impact those in abusive relationships. Proponents of the Bill have suggested that the Bill protects against these concerns because the presumption of equal time and decision-making can be rebutted by proving a detriment to the child. However, this is not sufficient, as domestic violence often leaves no evidence. Witnessing domestic violence had more than a detrimental impact on me, even though there were no witnesses. Even though I was never physically harmed myself. Even though no one was ever arrested. Even though we never told anyone what was going on. Even though there were no police reports that accurately documented the situation. Had my mother needed to prove that her partner was abusing her, under HB 508, she would not have been able to. There were no witness, as is often the case with domestic violence. She rarely reported, and when she did, she was not taken seriously. But I saw it first-hand.

Even if she had been able to prove that there was domestic violence, she wouldn't have been able to prove that it had a detrimental impact on me. But I promise you, that it did. As I previously mentioned, I externally showed no signs of detriment. I was physically healthy, successful in school and extracurriculars, and social. But no one knew that I didn't sleep, instead staying up all night listening for signs that I needed to go intervene and protect my mom. That any time I heard sirens when I was not with my mom, I became filled with panic. That I did my homework to the sounds of screaming, crying, and hitting.

But it would also appear that none of that had too much of an impact on me as an adult. After all, I am a successful attorney. However, the sound of a car pulling in a driveway still sends a chill down my spine. I still have nightmares about him. I've been diagnosed with post-traumatic stress

disorder and other physical and mental health conditions. And still today, every time I hear a siren, no matter where I am, I worry about my mom all over again.

In summary, HB508 is focused on the rights of the parents, rather than what is in the best interest of each child. Because of this, I strongly oppose HB 508.

Mr. Chairman, members of the committee, thank you for the opportunity to provide testimony today.