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Disability Rights Advocate  
The Ability Center of Greater Toledo  
House Civil Justice Committee  
December 12, 2022

Chairman Hillyer, Vice Chair Grendell, Raking Minority Representative Galonski, and Representatives Cutrona, Kick, Lampton, Merrin, Seitz, Stewart, Swearingen, White, Brown, Crossman, Leland, and Skindell.

On behalf of The Ability Center of Greater Toledo, I ask for your support on SB202 and the amendment to SB202 proposed by Senator Antonio. This bill would prohibit discrimination on the basis of disability in custody decisions in Ohio. The additional amendment would clarify what is meant by “supportive services” in the bill. The proposed amendment would strengthen the bill by clarifying its intent to ensure that parents with disabilities will not experience discrimination in custody decisions because they have a disability or because they use supportive services that are already available to them in the community.

All parents, with or without disabilities, must be evaluated on equitable standards based on the best interests of the child(ren). This legislation is important to provide parents with disabilities with equal rights in custody decisions and ensure that children are not separated from their parents solely because they have a disability. A person’s diagnosis does not determine their ability; therefore, courts must base their decision on facts and objective evidence and not antiquated views of disability and stereotypes.

Passing SB202 will also help Ohio decision makers by ensuring that they are following federal law. The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act prohibit public entities from discriminating on the basis of disability and enshrining those protections in state law will help guide custody decision makers on how to make custody decisions without making unjustified assumptions based on a person’s disability.

We appreciate the support this bill has received so far from our general assembly and are excited to see it continue to move forward. My contact information is provided below and please do not hesitate to contact me if you have any additional questions.

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