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**House Civil Justice Committee
Proponent Testimony
Amy Roehrenbeck, Esq.
Ohio CSEA Directors' Association
HB338
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Chairman Hillyer, Vice Chair Mathews, and members of the Committee, thank you for the opportunity to provide proponent testimony on HB338 on behalf of the Ohio CSEA Directors' Association (OCDA). We are a membership organization of county child support enforcement agencies (CSEAs), dedicated to strengthening Ohio's child support program. My name is Amy Roehrenbeck, and I am the Executive Director for OCDA.

Ohio's Child Support Program serves one in four children in our state, which means we have nearly one million children in our program. We serve these children for long periods of time, often from infancy to adulthood. The child support program encourages responsible parenting, family self-sufficiency, and child well-being by providing services to locate parents, establish parentage, establish child support and medical support orders, collect support, modify orders when circumstances have changed, and enforce orders that are not being paid.

In Ohio, the duty of support for a child under a child support order continues until the child reaches age eighteen or graduates from high school, whichever occurs later. One exception to this general rule is when a child is mentally or physically disabled and incapable of supporting or maintaining himself or herself. In these cases, a court can order child support to continue beyond the age of majority where the disability existed before the child reached the age of majority under the Castle doctrine (*Castle v. Castle*, 15 Ohio St3d 279). In these cases, a CSEA will continue to administer the child support order until further orders are issued.

In recent years, the family law practice has seen a rise in cases involving parents divorcing at a much later date, often when their children are now adults. As a result, there are cases where a disabled child is now beyond the age of eighteen when their parents divorce, but otherwise meets



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the qualifications to be deemed a *Castle* child. In some cases, a special needs trust is in place to provide for the child. In other cases, however, there could be a financial need for support and the child is shut out due to his/her age at the time of the divorce.

HB338 seeks to offer a permissive solution to parents that wish to avail themselves of child support services for a now adult disabled child whose disability existed before the age of majority and who is not self-supporting. HB338 allows a court to issue an order of support for the care and maintenance of the parties' child pursuant to a proceeding for divorce, dissolution, legal separation, or annulment. These child support orders will be set under the child support guidelines and will be administered through the county CSEA, just like we do today with other *Castle* children cases. It creates consistency for families with disabled children who may need child support.

HB338 provides for these orders to be established through a court action, so a CSEA will not have authority to establish these orders administratively. The role of the CSEA will be limited to case management, modification, and enforcement post-decree, using statutorily prescribed remedies.

We worked with the Ohio State Bar Association and Ohio Judicial Conference on these processes, and we thank Reps. White and Sweeney for their sponsorship of this legislation!

Thank you for the opportunity to testify in support of HB338. I am happy to answer any questions.