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Senate Judiciary Committee
Proponent Testimony for S.B. 174
May 14, 2025

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Chairman Manning, Vice Chair Reynolds, Ranking Member and Sponsor Hicks-Hudson, Sponsor Gavarone, and members of the Senate Judiciary Committee:

My name is Lisa DeGeeter, and I am the Senior Director of Policy and Prevention for the Ohio Domestic Violence Network.

The Ohio Domestic Violence Network (ODVN) is Ohio's federally designated domestic violence coalition, representing 76 local domestic violence organizations throughout the state. In calendar year 2023, ODVN programs sheltered 9,707 survivors, including 3,743 children, and provided 98,143 survivors and their children with supportive services, including legal advocacy on civil issues such as divorce, custody, and safe parenting time.¹ Many of these survivors and their children were residing in a domestic violence shelter in an effort to keep themselves and their children safe during court proceedings.

Thank you for the opportunity to provide testimony in support of SB 174.

Domestic violence is present in a significant number of litigated custody cases. National research shows that about 90% of the cases are resolved without significant court intervention (mediation, custody evaluations, litigation).^{2,3} In 2024, 81% of Ohio's divorces with children were resolved without significant court intervention.⁴ Among the cases that are litigated, **approximately 60-75% involve reports of domestic violence.**⁵

¹ Available from https://www.odvn.org/wp-content/uploads/2024/04/ODVN_FactSheet_April2024.pdf

² Court Statistics Project. Caseload Detail: Dissolution/Divorce. *Court Statistics Project*, Available from <https://www.courtstatistics.org/csp-stat-nav-cards-second-row/csp-stat-domestic-relations>.

³ Ollendick, White & White, *The Oxford Handbook of Clinical Child and Adolescent Psychology*, 499 (2018).

⁴ ODVN compared marriage terminations with children cases through the data provided by the State of Ohio Courts of Common Pleas, Domestic Relations Division. (2022). Available from [Workbook: FormB-judge-state-PROD \(ohio.gov\)](#)

⁵ Peter G. Jaffe, Claire V. Crooks & Samantha E. Poisson, *Common Misconceptions in Addressing Domestic Violence in Child Custody Disputes*, 54 JUV. & FAM. CT. J. 57, 60 (2003) (75% of cases filed include domestic violence allegations)



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Many survivors who seek help at ODVN member programs don't make police reports for a variety of reasons, including fear of reprisal or getting the offender in trouble, believing that police would not or could not do anything to help, and believing the crime to be a personal issue or too trivial to report.⁶ In Ohio, over 100 people die every year due to domestic violence and in our most recent fatality report from July 1, 2023 – June 30, 2024, 72% of the fatal cases had prior contact with civil or criminal justice systems.⁷

Ohio's children deserve safety-focused legislation that preserves the court's discretion on a case-by-case basis as to the best interests of children. Recently, the National Council of Juvenile and Family Court Judges released a model code on domestic and family violence. The council's approach promotes the best-interest-of-the-child analysis based on evidence related to the effects of domestic abuse, the current and future risk to the abused parent and the child, and the ability and willingness of the parent who is abusive to focus on the needs of the child without continued use of abusive tactics.⁸

From 1999 to 2001 I had the privilege of serving as the assistant director of the Ohio Task Force on Family Law and Children. The task force was a joint venture between the legislature, the Supreme Court, the governor's office, the State Bar Association, led by mental health professionals and academics. The group was tasked with examining Ohio's family law statutes and court processes and procedures, in order to draft recommendations to enhance the well-being of Ohio's children and families. The task force released a report, *Minimizing Conflicts Maximizing Families* which can be found on the Supreme Court website at [Ohio Task Force on Family Law and Children](#).

Chief Justice Moyer appreciated deliberative interdisciplinary processes, and he sent this task force report and a report created by a task force on guardians ad litem to the Advisory Committee on Children, Families and the Courts for review. They released a subsequent report that was entitled *Report and Recommendations on Family Law Reform* which can be found at [Microsoft Word - FLC Report 2005.doc](#). The initial report and subsequent review included six goals with 29 corresponding recommendations. They recognized that:

"Establishing and maintaining a parent child relationship is of fundamental importance to the welfare of a child. Therefore, the relationship between a child and both parents should

⁶ Ibid.

⁷ Since the Covid epidemic began through 2021, Ohio domestic violence fatalities have increased substantially. See a complete compilation of ODVN's Annual Fatality Reports here: <https://www.odvn.org/reports/>

⁸ Revised Chapter Four: Families and Children. Model Code on Domestic and Family Violence. (2022). Available from [Revised-MC-Chapter-Four-Dec.-2022-FINAL.pdf.pdf \(ncjfcj.org\)](#)



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be fostered unless inconsistent with the child's best interest. Further, any legal process that allocates parenting functions and responsibilities should be guided by each child's best interest. "

"Developmentally appropriate guidelines for parenting plans should be developed and available for use by all families and courts."

"All parenting plans should provide for the allocation of parenting functions and responsibilities for all aspects of each child's daily needs consistent with the child's age and developmental level."

"Courts should be given more statutory options for dealing with the difficult problems involved in the consideration of requests by one parent to deny or limit access of the other parent to their children, or to information about their children."

"A child-centered approach should be used in deciding cases involving the relocation of a child."

"Courts should continue to be guided by the best interest standard."

"Services that enhance the child's safety and well-being should be provided."

S.B. 174 addresses all these concerns, and more, and ODVN enthusiastically supports its passage.