



# Ohio Judicial Conference

The Voice of Ohio Judges

**Senate Judiciary Committee**  
**Judge Randall D. Fuller**  
**Proponent Testimony on Senate Bill 174**  
**May 14, 2025**

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson and members of the Senate Judiciary Committee, I thank you for this opportunity to provide proponent testimony for Senate Bill 174 on behalf of the Ohio Judicial Conference.

I am Judge Randall Fuller. I was elected to serve as the first Judge of the Common Pleas Court of Delaware County, Domestic Relations Division in 2016. Prior to taking the bench, I practiced law in downtown Delaware for 21 years. I currently serve as the President of the Ohio Association of Domestic Relations Judges. I am the Immediate Past President of the Ohio Chapter of the Association of Family and Conciliation Courts (AFCC) and serve on the AFCC Board of Trustees. I also serve on the Board of Trustees for the Ohio Judicial College and as a member of the Ohio Judicial Conference's Domestic Relations Law and Procedure Committee, Legislative Committee, Court Technology Committee and Judicial Advisory Group. I am a Board Member for the Ohio Supreme Court Judicial College, and I am the Chair of the Family Law Reform Implementation (FLRI) Subcommittee of the Supreme Court of Ohio's Advisory Committee on Children and Families. I am also a member of the National Council for Juvenile and Family Court Judges and a member of the American Judges Association.

## **Background**

The history of this bill began when the 122nd General Assembly created the Ohio Task Force on Family Law and Children in 1999. In 2001, the Task Force released a list of goals and recommendations for family law reform. In 2005, the Supreme Court of Ohio's Task Force on Family Law & Children issued another report on family law reform. Over the next several years, the Supreme Court's Advisory Committee on Children & Families worked to implement the Task Force's recommendation. Specifically, the Advisory Committee's Subcommittee on Family Law Reform Implementation (FLRI) was created and charged with this task.

In 2015, FLRI's "Legislative Reform Workgroup" began identifying necessary revisions to the Ohio Revised Code to effectuate the Task Force's child-centric goals. This group consisted of judicial officers, family law practitioners, a parent coordinator, and a social sciences academician. The group proposed a significant rewrite of Chapter 3109 regarding the allocation of parental rights and responsibilities language with an emphasis on (and expansion of) the statutory "best interest of the child" factors outlined in R.C. 3109.04.

Over the last several years, the Workgroup's 19-page list of recommendations were expanded into a 400+ page bill (including numerous cross-reference changes) that was first introduced last year as S.B. 325. Last fall, a group of juvenile and domestic relations judges met with Representatives to discuss additional areas

of agreement for family law reform. Many of these ideas were added to the bill, including language about “maximizing parenting time,” and reforming the temporary orders process to clarify that the court is not to draw any presumptions based on the temporary orders in allocating parenting responsibilities or approving a parenting plan.

Further amendments were suggested by interested parties including the Ohio Child Support Directors Association and members of the Ohio Commission on Fatherhood. These suggestions were included in the as-introduced version of S.B. 174, making this bill a truly collaborative effort of the legislature, the judiciary and the family law community.

## **Bill Highlights**

Highlights of the proposed changes are as follows:

Discontinuation of labels such as “residential parent” or “custodial parent” to remove the perception that one parent may have the upper hand or more authority than the other. This was a deliberate decision to help minimize the adversarial nature of these types of proceedings. Instead, there will be a “designated parent” or parents for each of the parenting rights listed in the parenting plan. [R.C. 3109.04(B).]

Current law allows for modifications of parenting plans based on a “change of circumstances” for only the residential parent. By eliminating the “residential parent” label, the bill expands the ability of both parents to file for change of circumstances that can include positive reinforcement of nonresidential parents. [R.C. 3104.0419.]

A change in terminology from “parental rights and responsibilities” to “parenting responsibilities.” This change more accurately reflects that children should be treated as persons, not property (or assets) to be divided when the parents are no longer together. [“Parenting responsibilities” are defined in R.C. 3109.04(A)(17).]

All parenting responsibilities are allocated in the parenting plan, which seeks to ensure that “parents or legal custodians share in the responsibilities of raising a child, enable a child to enjoy a meaningful relationship with both parents or legal custodians, and maximize parenting time with each parent when it is in the best interest of the child.” [R.C. 3109.044.]

If neither parent submits a parenting plan, or a submitted plan is incomplete or not in the best interest of the child, the court request that the parties make changes to the plan or the court can create their own plan for the parents [R.C. 3109.046 - .048.]

Expanding the best interest of the child factors to include the actions of a parent to mislead the court or cause unnecessary delay in the case; the recommendations of other court-appointees (e.g., parenting coordinator, custody evaluator, investigator); the child’s and parent’s safety; parents’ past ability to provide for the child’s daily needs. [R.C. 3109.0428.]

Simplification of paternity establishment & request for rights. [R.C. 3111.13(C).]

The last two changes highlight the overriding goal to make the bill as father friendly as possible, without taking anything away from mothers. This can be achieved by keeping the focus where it should be—on the best interest of the children. We believe this bill accomplishes that goal.

The bill also contains an uncodified section requiring domestic relations courts to update their local rules based on the bill’s provisions. Domestic relations judges will work with the Supreme Court to educate courts and provide recommendations for local rules that maximize parenting time in a manner that is developmentally appropriate for the children. These updates will help promote uniformity across the State.

Thank you for the opportunity to submit testimony in support of S.B. 174. We thank the sponsors, Senator Gavarone and Senator Hicks-Hudson, for reintroducing this bill. I would be happy to answer any questions you may have.