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Re: Senate Bill 174 – Opponent Testimony

Judiciary Committee
Ohio Senate
136th General Assembly
October 8, 2025

Chair Manning, and members of the Senate Judiciary Committee:

BACKGROUND

Research is clear that children do best when both parents are involved. Among other issues, children raised *without* the active involvement of two parents are more likely to: fail in school,[i] use drugs,[ii] commit crimes,[iii] engage in early sexual activity[iv] and commit suicide.[v] Additionally, studies indicate that having secure and high-quality relationships with both mothers and fathers is superior to having only one secure relationship, regardless of whether that secure relationship is with mother or with father,[vi] and that maintaining strong child-parent relationships necessitates spending time with children, especially given children's rapid development both within and across developmental periods.[vii] Moreover, when polled, nearly nine in ten Ohioans have expressed a belief that children have the right to equal or near equal time with each parent after a divorce or separation.[1]

In 1987, the Ohio Domestic Relations Task Force identified that custody was granted to the mother in approximately 90% of all cases, noting dissatisfaction among the public with such a system.[2] In 2001, the Ohio Supreme Court Task Force on Family Law and Children identified a win-lose culture in Ohio's family courts, based on an imbalance of the parenting time division (usually a 75%-25% split) and the understanding that the parent with the larger portion of the child's time would have control over most major life decisions. Furthermore, that same task force identified that a parent expecting to be victorious had little incentive to mediate or engage in any other constructive, cooperative process to create a parenting plan.[3] In both instances, solutions were implemented in an effort to correct this parent-sidelining culture, notably by updating the language of the Ohio Revised Code and granting courts more authority to determine the best interests of the child.

Nevertheless, a recent study showed that only one in six child support orders correspond to a parenting time order that provides each parent with at least 90 overnights (a 75%-25% split) and fewer than 1% of orders had been deviated explicitly due to equal parenting time.[4] In other words, Ohio courts have perpetuated the problematic culture identified nearly 40 years ago.

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[1] https://www.sharedparenting.org/shared-parenting-polling
[2] Final Report of the Domestic Relations Task Force, 6/30/1987; pg. 16.
[3] Final Report of the Task Force on Family Law and Children, 6/20/2001; pg. 8.
[4] ODJFS 2023 Child Support Guidelines Review, Appendix B, pg. 117-132.

PERCEPTION VS. REALITY

How does Senate Bill 174 address the massive disconnect between what Ohioans know and want with how the court is operating? For starters, the supporters cite the main goal of the task force: an acknowledgement that the parent-child relationship is of fundamental importance to the welfare of a child and the relationship between a child and each parent should be fostered unless inconsistent with the child's best interest. If that sounds familiar, it should; those exact words have been the official policy of this state for over 25 years.[5] Notwithstanding this decades-old policy, Ohio courts routinely foster one parent's relationship with the child at the expense of the other.

From there, Senate Bill 174 acts on the task force's recommendation to achieve that goal by altering the language of the ORC. By discontinuing the use of the "custodial parent" label, supporters intend to "remove the perception that one parent may have the upper hand".[6] With great significance placed on the meaning of words, it is telling that the sponsors have deliberately set out to remove the **perception** that one parent may have the upper hand. Apparently, they are not as inclined to remove the **reality** that one parent has the upper hand, because they have left intact the process by which parental ~~rights~~ responsibilities are allocated; i.e. "best interest of the child" is still subject to the preconceived biases of the jurist.

BEST INTEREST OF THE CHILD

Senate Bill 174 does not "more clearly define" the best interest of the child, because current law lacks a definition in the first place. While the best interest factors have been part of Ohio law since at least 1981, they are not a definition of best interest in and of themselves. Those factors have been altered and added to over the years, as Senate Bill 174 is proposing to do yet again, but because courts are already directed to consider **all** relevant factors (emphasis added),[7] such proposals amount to sleight of hand, meant to give the impression that change has occurred.

Additionally, there is no guidance for the court on how to weigh the factors or where to begin. Therefore, the definition of "best interest" is subject to the whim of the jurist and allows them to implement their preferred parenting style. The erasure of parental rights[8] and addition of "complete discretion"[9] grants the court even more authority to dictate how our children will be raised and cements the one-parent, one-visitor model that has survived decades of previous language manipulation.

A GIANT LEAP BACKWARDS

It has been stated that this legislation modernizes Ohio's family courts, bringing them into the 21st century.[10] Aside from continued reliance on the subjective best interest factors that have been the

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[5] Amended Senate Bill 112 of the 122nd General Assembly; 9/1/1998.
[6] Testimonies of Senator Gavarone, 4/30/25; pg. 1 and Judge Fuller, 5/14/25; pg. 2.
[7] ORC 3109.04(F)(1).
[8] Senate Bill 174, LSC Analysis; pg. 9.
[9] Senate Bill 174, LSC Analysis; pg. 15.
[10] Testimony of Senator Hicks-Hudson, 4/30/25; pg. 2.

core of family law for over 40 years, this bill encourages courts to craft parenting plans in a manner consistent with the child's age and development level. Such direction effectively codifies the Tender Years Doctrine and flies in the face of modern research showing that equal parenting is best, even among infants and toddlers.[viii]

For actual modernization of family law practices, we can simply look across the river at our neighbors in Kentucky and West Virginia. Along with Arkansas, Missouri and Florida, each of those states have adopted rebuttable presumptions of equal parenting since 2018. But one need not look outside of the state to see progress toward equality. A handful of Ohio counties have already adopted standard parenting time schedules that provide an equal division of the parenting time and several more have updated their local rules to move toward equality (no counties have moved away from equality).

INCREASED LITIGATION

Senate Bill 174 is retroactive, permitting parties to any previous decree to file a motion with the court requesting the issuance of a new parenting plan under the bill's provisions.[11] Additionally, the "change of circumstance" clause has been expanded,[12] allowing for an even greater likelihood that previously settled cases will be reopened. Both provisions will result in more billable hours for attorneys, while adding to court dockets.

SUMMARY

There was nothing preventing Ohio's courts from instituting culture change on their own, to put into practice the policy outlined by the General Assembly in 1998. Instead, they chose to continue the win-lose, grossly-imbalanced, preferred-parent arrangement that was identified as a major roadblock to collaborative parenting. Senate Bill 174 does not do anything to correct this culture, because it was not designed to. The proponents of this bill make money off of our conflict and actually solving the problems of family court would be bad for business.

Senate Bill 174 merely repackages a decades-old policy with meaningless platitudes, passing it off as revolutionary and modern. It does not offer actual reform, as there is no actionable difference between this proposal and current law. Fortunately, we already know that language manipulation does not work. There is no reason to believe that *this time* will be any different.

I urge the committee to align with Ohio families, not the special interests that profit off of us. Reject Senate Bill 174.

-Anthony Slosser

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[11] Senate Bill 174, LSC Analysis; pg. 36.
[12] Senate Bill 174, LSC Analysis; pg. 20.

Studies cited:

[i] McLanahan, Sara et al., “The Causal Effects of Father Absence,” Annual review of Sociology 39(2013)399-427; Lundbert, Shelly, “Father Absence and the Educational Gender Gap,” IZA Discussion Papers, No. 10814, Institute of Labor Economics (IZA), Bonn.

[ii] Hoffmann, John P. “The Community Context of Family Structure and Adolescent Drug Use.” Journal of Marriage and Family 64 (May 2002)314-330; Bronte-Tinkew, J., Moore, K. A., Capps, R. C., & Zaff, J., “The influence of father involvement on youth risk behaviors among adolescents: A comparison of native-born and immigrant families,” Social Science Research, 35(2004)181-209.

[iii] Demuth, Stephen and Susan L. Brown, “Family Structure, Family Processes, and Adolescent Delinquency: The Significance of Parental Absence Versus Parental Gender,” Journal of Research in Crime and Delinquency 41-1(February 2004)58-81; Bush, Connee, Ronald L. Mullis, and Ann K. Mullis, “Differences in Empathy Between Offender and Nonoffender Youth,” Journal of Youth and Adolescence 29 (August 2000)467-478; Coley, R. L., & Medeiros, B. L., “Reciprocal Longitudinal Relations Between Nonresident Father Involvement and Adolescent Delinquency,” Child Development 78(2007)132-147; Hill, M. A., & O’Neill, J., Underclass behaviorsin the United States: Measurement and analysis of determinants(1993) New York: City University of New York.

[iv] Ellis, Bruce J., et al, “Does Father Absence Place Daughters at Special Risk for Early Sexual Activity and Teenage Pregnancy?,” Child Development 74-3(2003)801-821.

[v] Weitoft, Gunilla Ringbäck, “Mortality, Severe Morbidity, and Injury in Children Living with Single Parents in Sweden: A Population-based Study,” The Lancet 361-9354(January 25, 2003) 289-295, https://doi.org/10.1016/S0140-6736(03)12324-0

[vi] Dagan, O., Schuengel, C., Verhage, M. L., van IJzendoorn, M. H., Sagi-Schwartz, A., Madigan, S., ... & Collaboration on Attachment to Multiple Parents and Outcomes Synthesis. (2021). Configurations of mother-child and father-child attachment as predictors of internalizing and externalizing behavioral problems: An individual participant data (IPD) meta-analysis. New Directions for Child and Adolescent Development, 180, 67-94. https://doi.org/10.1002/cad.20450

[vii] Adamsons, K. (2018). Quantity versus quality of nonresident father involvement: Deconstructing the argument that quantity doesn’t matter. Journal of Child Custody, 15(1), 26-34. https://doi.org/10.1080/15379418.2018.1437002

[viii] Warshak, Richard, et al., “Social Science and Parenting Plans for Young Children: A Consensus Report,” Psychology, Public Policy, and Law 20-1(2014)46-67; Warshak, Richard, “Night Shifts: Revisiting Blanket Restrictions on Children’s Overnights With Separated Parents,” Journal of Divorce & Remarriage 59-4 (2018)282-323; Fabricius, William V. and Go Woon Suh, “Should Infants and Toddlers Have Frequent Overnight Parenting Time With Fathers? The Policy Debate and New Data,” Psychology, Public Policy, and Law 23-1(2017)68-84; Bergström, Malin et al., “Preschool Children Living in Joint Physical Custody Arrangements Show Less Psychological Symptoms Than Those Living Mostly or Only With One Parent,” Acta Pædiatrica 107(2018)294-300.