

The Ohio Father Study

by Luke Feerer

The primary goal of this project is to examine paternal rights in the Ohio family court system, and how they may or may not affect test scores and behaviors among students in Ohio public school systems. The secondary goal of this project is to determine if Unmarried Fathers are treated differently than Divorced Fathers in the Ohio Family Court System and, if so, how and why any found disparities might affect test scores and behaviors among students in Ohio Public School Systems. I tried to be as unbiased as possible, as this is the first survey I have ever conducted. I will also discuss mistakes I made along the way, and changes I would make if I could do it again.

- **Null Hypothesis:** Reduced or non-existent paternal rights DO NOT affect academic performance among Ohio public school students.
- **Alternative Hypothesis:** Reduced or non-existent paternal rights DO affect academic performance among Ohio public school students.

- **Null Hypothesis:** Reduced or non-existent paternal rights DO NOT affect in-school behaviors among Ohio public school students
- **Alternative Hypothesis:** Reduced or non-existent paternal rights DO affect in-school behaviors among Ohio public school students.

- **Null Hypothesis:** Students with Divorced (D) fathers DO NOT perform better academically than students with Unmarried (UM) fathers.
- **Alternative Hypotheses:** Students with Divorced (D) fathers DO perform better academically than students with Unmarried (UM) fathers.

Fact: Divorced fathers leave the relationship with their paternal rights intact.

Fact: Unmarried father don't have paternal rights (at all) unless they sue the unmarried mother.

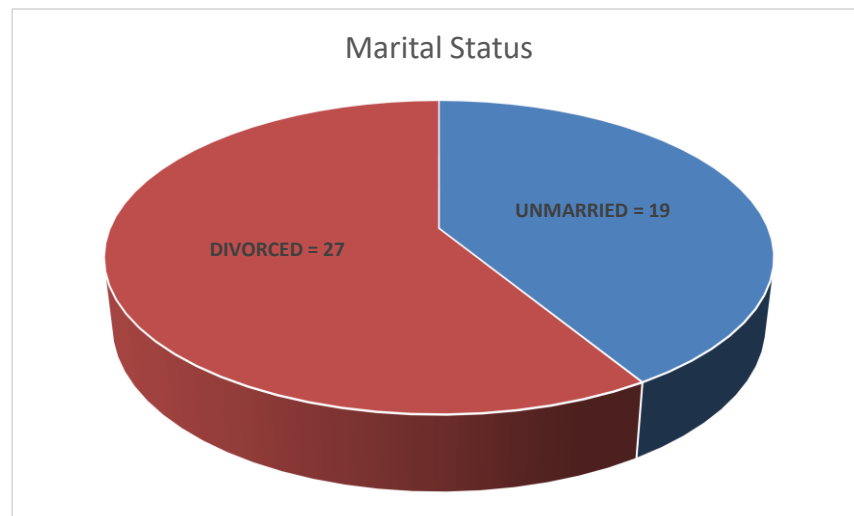
QUESTION 1: What is your marital status?

Question one is a straightforward question with the following options:

- Never married to the mother of my oldest child currently enrolled in an Ohio public school
- Married to the mother of my oldest child enrolled in an Ohio public school
- Divorced from the mother of my oldest child enrolled in an Ohio public school
- Other (please specify)

I wanted to capture as many Ohio fathers as possible, but I also wanted to capture data specific to Ohio public schools. My reasoning was, I could use dummy variables later for the purposes of charts, hypothesis testing, and regression analysis.

The results on this question were split between Never Married to the Mother...and Divorced from the Mother...with 46 total respondents – 19 Unmarried and 27 Divorced. I excluded a respondent that identified as “step mom,” since she is not a father.

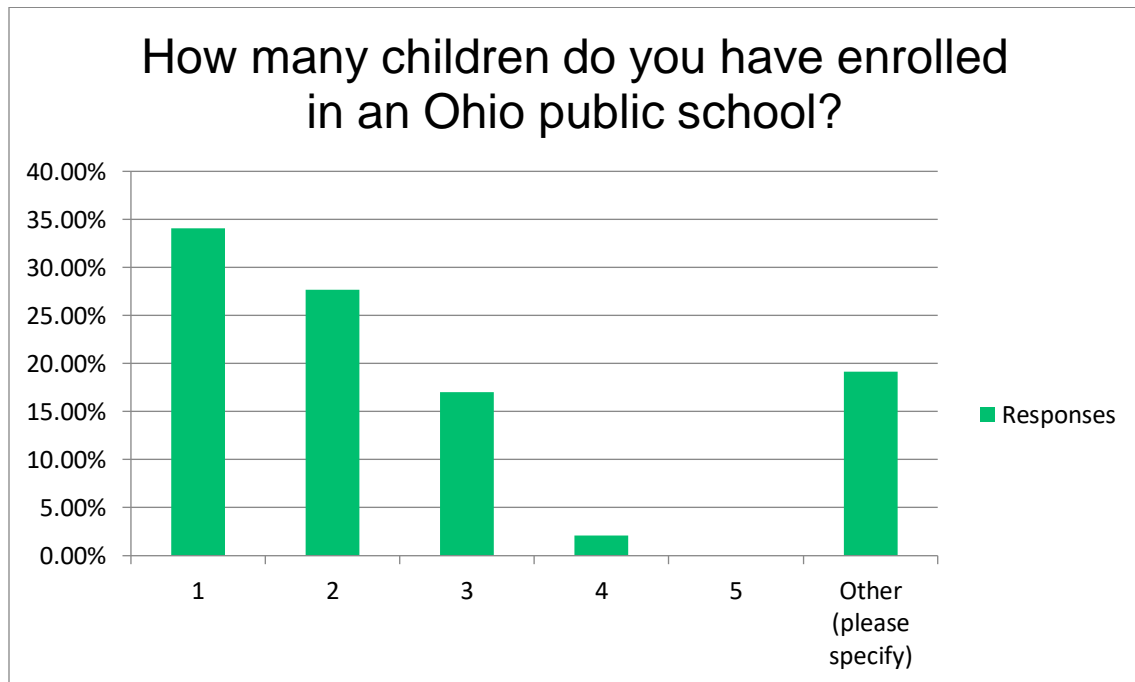


QUESTION 2: How many children do you have enrolled in an Ohio Public School?

Question 2 is another straightforward question or, at least, it was intended to be. I had more respondents in the Other (please specify) category than I initially expected, due to non-school aged children, graduated children, and children attending a private school. I designed this question to isolate the public school data and I included the Other category because I still wanted to capture the “other” data. (Respondent 114300344797 answered NA on this question in the Other (please specify) category, which translates to a 0 in Excel.)

Answer Choices	Responses	
1	34.04%	16
2	27.66%	13
3	17.02%	8
4	2.13%	1
5	0.00%	0
Other (please specify)	19.15%	9
	Answered	47
	Skipped	0

Respondent ID	Response Date	Other (please specify)
114329066033	May 25 2023 07:59 PM	To young
114328342969	May 25 2023 05:57 AM	Not school age
114328144607	May 24 2023 11:13 PM	And one in a private school
114312097652	May 05 2023 11:49 AM	He's a baby still
114300344797	Apr 21 2023 09:50 PM	0
114266457653	Mar 11 2023 11:27 AM	Not enrolled yet, 1 child
114262229336	Mar 06 2023 10:12 PM	None in a public school
114262217805	Mar 06 2023 09:47 PM	Graduated
114261235196	Mar 05 2023 09:20 PM	Private School



QUESTION 3: How would you rate your oldest child's academic achievement?

Question 3 is where things start to get interesting. The question is general and the responses are subjective. I was more specific with the answer choices initially but Kimberly Dent, Director at The Ohio Commission on Fatherhood, recommended generalizing them because, "most divorced or unmarried fathers won't have that information." That statement begs many questions, such as:

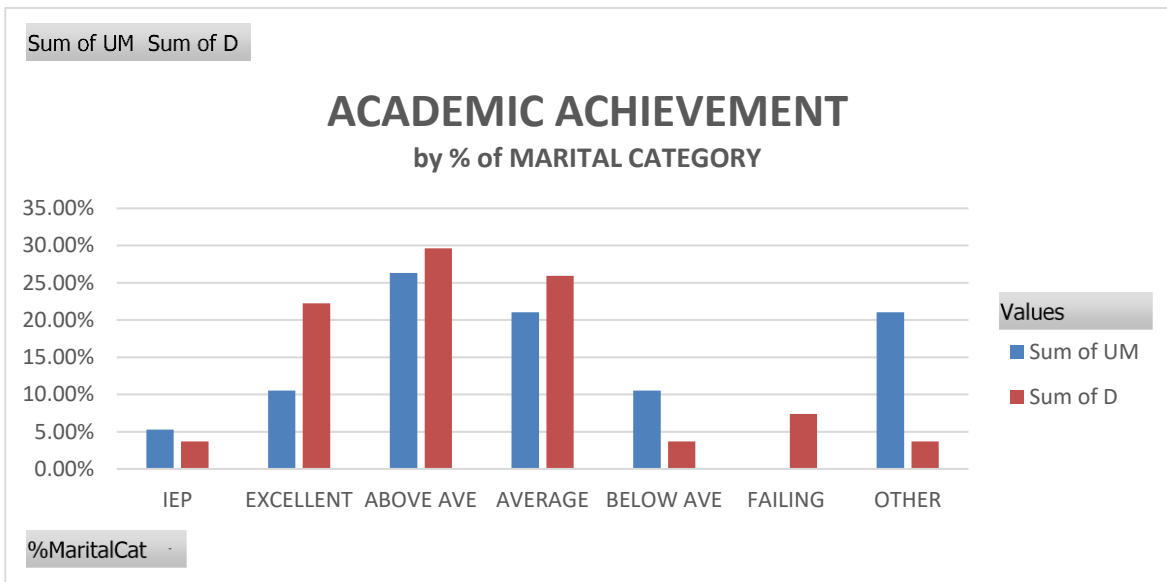
- Why? Why won't "most divorced or unmarried fathers have that information"?
- Might it make a difference if they did?
- Does this statement lead to a larger question, like, "if Unmarried and/or Divorced fathers don't have Decision Rights regarding their child's academic or medical activities or when they get to see their child; then what incentives do they have to be involved in their child's life?"
 - If father's that do have the resources and network to fight for their rights, fight; what happens to the fathers who do not have the resources and network to fight?
 - What happens to poor fathers?
 - What happens to minority fathers?
 - What happens to fathers who are undergoing the immigration process?

(I realize) there are a number of problems with this data (and the survey in general), such as there being a higher number of respondents who reported Divorced than Unmarried. That is why I calculated %MaritalCat for each group – Unmarried (UM) and Divorced (D) respondents. It's worth noting that Divorced fathers look better across the board than Unmarried fathers, except in the Failing (which is only 2) and Other (please specify) categories. A deeper analysis on this data is forthcoming.

			How would you rate your oldest enrolled child's academic achievement?						
Respondent ID	UM	D	My child has an IEP	Excellent	Above Average	Average	Below average	Failing	Other (please specify)
114329619502		1	My child has an IEP					Failing	
114329066033	1		My child has an IEP						
114328899266		1				Average			
114328760514		1		Excellent					
114328515517		1				Average			
114328492963		1		Excellent					
114328422981	1				Above Average				
114328342969	1								Not school age
114328144607	1					Average			
114328103251		1		Excellent					
114327762140	1						Below average		
114327063320	1			Excellent					
114321172872	1								They don't communicate
114321021370		1		Excellent					
114320218511		1			Above Average				
114314634195	1					Average			
114313787500		1			Above Average				
114312097652	1								N/A
114310304534		1							She was doing great until custody issues, sir
114310300476		1			Above Average				
114309776032		1			Above Average				
114309650527		1				Average			
114309247930		1		Excellent					
114308951997	1					Average			
114308765938	1				Above Average				
114308658309		1				Average			
114307926166		1					Below average		
114307923410		1						Failing	
114307917659	XXX	XXX			Above Average				
114300344797		1		Excellent					
114278305954	1		My child has an IEP						
114266457653	1								Not enrolled yet
114266151722		1			Above Average				
114263240251	1				Above Average				
114262506959	1				Above Average				
114262229336	1					Average			
114262217805	1				Above Average				
114262167789	1			Excellent					
114262136298	1						Below average		
114262106414		1				Average			
114262085172		1				Average			
114262081794	1					Average			
114262058575	1				Above Average				
114261761375		1			Above Average				
114261758690		1					Below average		
114261742146		1			Above Average				
114261235196	1				Above Average				
MaritalCat	19	27	(Totals Used to Calculate Percentage of Marital Category to Conduct Group-to-Group Analysis)						

RATING	UM	D
IEP	1	1
EXCELLENT	2	6
ABOVE AVE	5	8
AVERAGE	4	7
BELOW AVE	2	1
FAILING	0	2
OTHER	4	1

%MaritalCat	UM	D
IEP	5.26%	3.70%
EXCELLENT	10.53%	22.22%
ABOVE AVE	26.32%	29.63%
AVERAGE	21.05%	25.93%
BELOW AVE	10.53%	3.70%
FAILING	0.00%	7.41%
OTHER	21.05%	3.70%



[Nonresident Fathers and Children's Well-Being: A Meta-Analysis \(ohio-state.edu\)](http://ohio-state.edu) ¹

Paul R. Amato and Joan G. Gilbreth reported in *Journal of Marriage and the Family* (August 1999: 557-573) that surveys in recent decades show that as beliefs about the importance of fathers have become widely accepted, fathers in two-parent families have become more involved in child care (O'Connell, 1993; Pleck, 1997). *As married men become more committed to the role of father and as they gain experience in childrearing, they may be more likely to maintain positive ties with their children following divorce. Consistent with this reasoning, recent cohorts of nonresident fathers appear to maintain more frequent contact with their children than earlier cohorts did (Cooksey & Craig, 1998). Similarly, fathers are increasingly likely to ask for and gain shared custody of their children (Cancian & Meyer, 1998)... We counted behaviors such as listening to children's problems, giving advice, providing explanations for rules, monitoring children's school performance, helping with homework, engaging in projects with children, and using noncoercive discipline to deal with misbehavior as examples of authoritative parenting...* As a preliminary step, we considered the individual study as the unit of analysis. Of the 14 studies that included data on child support, 64% obtained at least one significant result in the predicted direction ($p < .05$). Corresponding results were 37% for studies of contact ($n = 46$ studies), 29% for studies of feeling close ($n = 14$ studies), and 79% for studies of authoritative parenting ($n = 14$ studies). These results indicate *that the majority of studies provided support for the hypothesis of a link between children's well-being and fathers' payment of child support and authoritative parenting.* In contrast, most studies did not support the hypothesis of a link between children's well-being and father contact or feelings of closeness.

I was surprised to learn that child well-being has less to do with father contact or feelings of closeness, and more to do with child support and authoritative parenting; but when I re-read their definition of authoritative parenting it made much more sense. *"listening to children's problems, giving advice, providing explanations for rules, monitoring children's school performance, helping with homework, engaging in projects with children, and using noncoercive discipline to deal with misbehavior,"* are all things that occur when a regular parenting schedule is in place. Otherwise, there would be no possible way for a non-residential parent to exercise any of those rights and responsibilities. They go on to explain, "The mean weighted effect sizes were statistically significant for all child outcomes, indicating that children tended to have higher academic achievement, fewer externalizing problems, and fewer internalizing problems if nonresident fathers exhibited behaviors reflecting authoritative parenting. These results support the hypothesis that nonresident fathers' authoritative parenting benefits children."

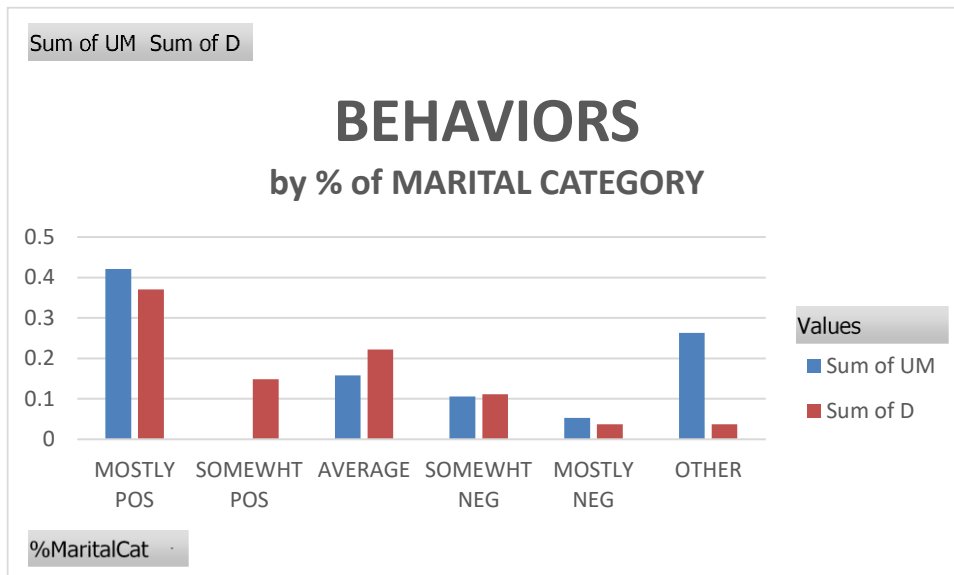
QUESTION 4: How would you rate your oldest enrolled child's behaviors while attending school?

This is (somewhat of) a companion question to Question 3, I expected there to be a correlation between Academic Achievement and Behaviors; but Unmarried (UM) fathers scored "better" on this one at first glance.

		How would you rate your oldest enrolled child's behaviors while attending school?							
Respondent ID	UM	D	Mostly Positive	Somewhat Positive	Average	Somewhat Negative	Mostly Negative	Other (please specify)	
114329619502		1							
114329066033	1							Not in school	
114328899266		1			Average				
114328760514		1	Mostly Positive						
114328515517		1			Average				
114328492963		1	Mostly Positive						
114328422981		1	Mostly Positive						
114328342969		1						Not school age	
114328144607		1			Average				
114328103251		1	Mostly Positive						
114327762140		1				Somewhat Negative			
114327063320		1	Mostly Positive						
114321172872		1						They refuse to communicate	
114321021370		1	Mostly Positive						
114320218511		1				Somewhat Negative			
114314634195		1	Mostly Positive						
114313787500		1	Mostly Positive						
114312097652	1							N/A	
114310304534		1						See above question	
114310300476		1			Average				
114309776032		1			Average				
114309650527		1						Mostly Negative	
114309247930		1	Mostly Positive						
114308951997		1			Average				
114308765938		1	Mostly Positive						
114308658309		1		Somewhat Positive					
114307926166		1		Somewhat Positive					
114307923410		1			Average				
114307917659	XXX	XXX			Average				
114300344797		1				Somewhat Negative			
114278305954		1	Mostly Positive						
114266457653	1							Not enrolled yet	
114266151722		1	Mostly Positive						
114263240251		1	Mostly Positive						
114262506959		1						Mostly Negative	
114262229336		1	Mostly Positive						
114262217805		1		Somewhat Positive					
114262167789		1	Mostly Positive						
114262136298		1				Somewhat Negative			
114262106414		1			Average				
114262085172		1				Somewhat Negative			
114262081794		1	Mostly Positive						
114262058575		1			Average				
114261761375		1		Somewhat Positive					
114261758690		1			Average				
114261742146		1	Mostly Positive						
114261235196		1	Mostly Positive						
MaritalCat	19	27	(Totals Used to Calculate Percentage of Marital Category to Conduct Group-to-Group Analysis)						

RATING	UM	D
MOSTLY POS	8	10
SOMEWHT POS	0	4
AVERAGE	3	7
SOMEWHT NEG	2	4
MOSTLY NEG	1	1
OTHER	5	1

%MaritalCat	UM	D
MOSTLY POS	42.11%	37.04%
SOMEWHT POS	0.00%	14.81%
AVERAGE	15.79%	25.93%
SOMEWHT NEG	10.53%	14.81%
MOSTLY NEG	5.26%	3.70%
OTHER	26.32%	3.70%



It should be noted that:

A. 26.32% of Unmarried (UM) fathers responded Other (please specify) compared to 3.70% of Divorced (D) fathers, and

B. We can add another layer of perspective by grouping behaviors as follows:

a. When we group the 2 top behavior categories, Divorced (D) fathers score 9.74% higher than Unmarried (UM) fathers.

i.

BEHAVIORS	UM	D
MOSTLY POS	42.11%	37.04%
SOMEWHT POS	0.00%	14.81%
TOTAL	42.11%	51.85%

b. Divorced (D) fathers score 6.43% higher in the Average category than Unmarried (UM) fathers.

i.

BEHAVIORS	UM	D
AVERAGE	15.79%	22.22%
TOTAL	15.79%	22.22%

c. When we group the 2 bottom behaviors, although the margin is much smaller, Unmarried (UM) fathers score 0.98% higher than Divorced (D) fathers.

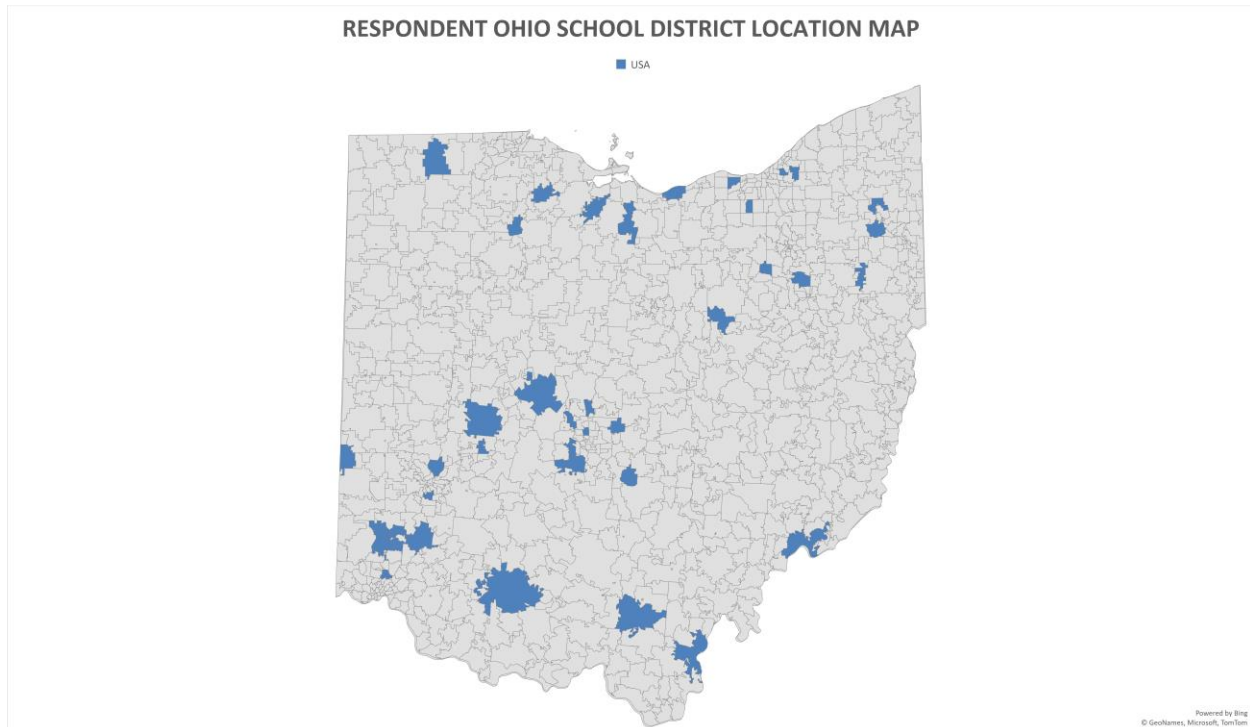
i.

BEHAVIORS	UM	D
SOMEWHT NEG	10.53%	11.11%
MOSTLY NEG	5.26%	3.70%
TOTAL	15.79%	14.81%

QUESTION 5: What Ohio school district does your child attend?

Respondent ID	CITY	STATE	ZIP	COUNTRY
114329619502	Fairfield	Ohio	45015	USA
114329066033	Elmwood	Ohio	44817	USA
114328899266	Monroe	Ohio	45044	USA
114328760514	Westlake	Ohio	44145	USA
114328515517	Kings Local	Ohio	45034	USA
114328492963	Springfield city	Ohio	45503	USA
114328422981	Keystone	Ohio	45640	USA
114328342969	Na	Ohio		USA
114328144607	Hillsboro	Ohio	45133	USA
114328103251	Gahanna	Ohio	43054	USA
114327762140	Olentangy	Ohio	43214	USA
114327063320	National Trail	Ohio	45347	USA
114321172872	Trumbull County	Ohio	44482	USA
114321021370	West Branch LSD	Ohio	44609	USA
114320218511	Vermillion	Ohio	44089	USA
114314634195	Strongsville	Ohio	44136	USA
114313787500	Riverside	Ohio	45424	USA
114312097652	N/A	Ohio		USA
114310304534	Gibsonburg	Ohio	43431	USA
114310300476	Wayne county	Ohio	44676	USA
114309776032	Monroeville	Ohio	44847	USA
114309650527	Bloom Carroll	Ohio	43112	USA
114309247930	Marysville	Ohio	43040	USA
114308951997	Southwest city schools	Ohio	43123	USA
114308765938	South-Western	Ohio	43123	USA
114308658309	Strongsville	Ohio	44136	USA
114307926166	Edgewood City School District	Ohio	45067	USA
114307923410	Reading Community	Ohio	45215	USA
114307917659	Lebanon	Ohio	45036	USA
114300344797	N/A	Ohio		USA
114278305954	Lakota	Ohio	45011	USA
114266457653	Na	Ohio		USA
114266151722	Dublin	Ohio	43017	USA
114263240251	Wauseon Schools	Ohio	43567	USA
114262506959	Strongsville	Ohio	44136	USA
114262229336	Ohio Valley Christian School in Gallia County	Ohio	45631	USA
114262217805	Green Local Schools, Summit County	Ohio	44232	USA
114262167789	Cleveland Heights University Heights	Ohio	44118	USA
114262136298	Olentangy	Ohio	43035	USA
114262106414	Washington County	Ohio	45750	USA
114262085172	Clyde green springs	Ohio	43410	USA
114262081794	Urbana School district	Ohio	43078	USA
114262058575	Charter	Ohio		USA
114261761375	Orange	Ohio	44124	USA
114261758690	Chippewa	Ohio	44230	USA
114261742146	Hilliard	Ohio	43228	USA
114261235196	Kettering School District	Ohio	45429	USA

As this map chart indicates, the survey respondent locations are scattered throughout the state. It would be ideal to get a real study underway that could capture thousands of respondents from every county in Ohio, but I was happy with the coverage obtained on this first survey. Each of these areas are in a County that has it's own family court system with it's own judges, magistrates and attorneys.



As I examine the State statistics, a next logical step is to examine the County statistics. Many fathers report many different outcomes and experiences that vary from County to County, which I suspect is one of the problems with Ohio's Family Court System and how they determine paternal rights. For example, some Counties are favorable towards 50/50 co-parenting custody orders while many are not. Which means one judge could be awarding fathers a 50/50 custody order (each parent gets 14 days per month) in one County while another judge in the County next door is only giving fathers "the standard order" (4 overnights and 4 weekday evenings per month).

The primary modern day challenge for fathers in the 21st century, Unmarried or Divorced, is "judicial discretion." Judges and Magistrates have the power to determine a parent's custodial rights with the scribble of their pen. That may have been the first-best-option back in the mid-20th century when the family court systems were designed and created, but mankind has come a long way since then. Starting at the bottom of page 8 of [The Trial Judge Awards Custody \(duke.edu\)](#)², Carl A. Weinman examines "general factors affecting the exercise of judicial discretion," in 1944. This isn't a new problem; it is an ignored problem.

Question 6: What Ohio school does you oldest child attend?

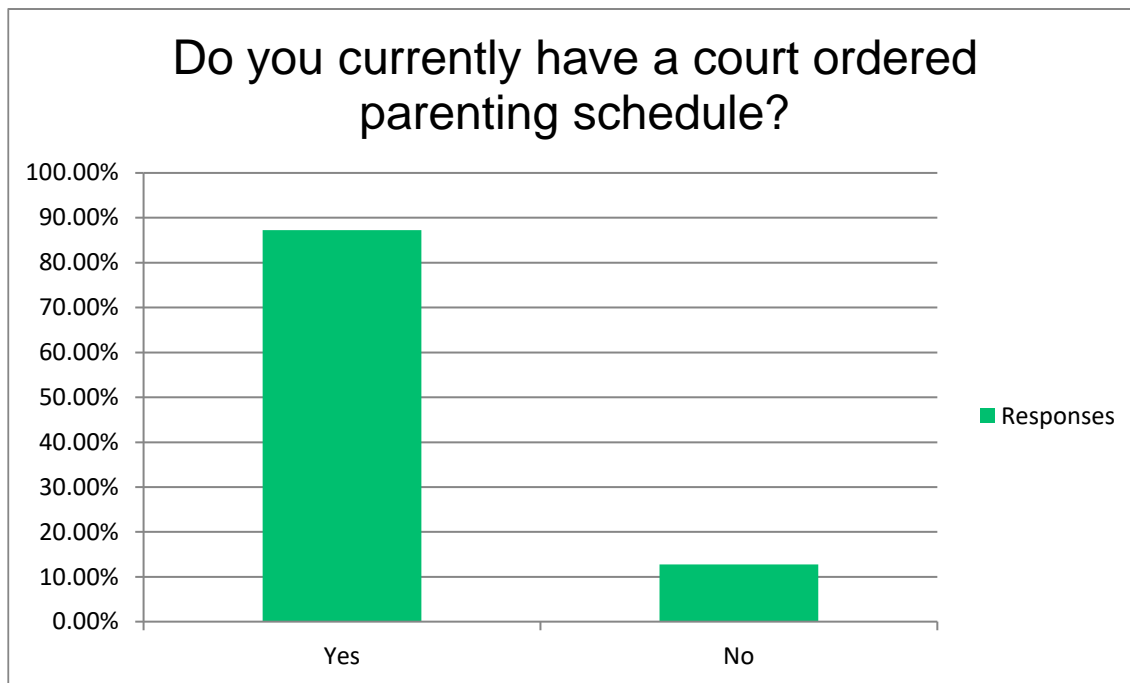
This is data that I wanted to capture for future use but it's redundant for the purposes of this paper given the analysis performed on Question 5 above.

Question 7: What grade level is your oldest child enrolled in an Ohio public school?

Question 7 asked what grade level the respondent's oldest child enrolled in an Ohio public school, and ages range from too-young-for-school to college aged children.

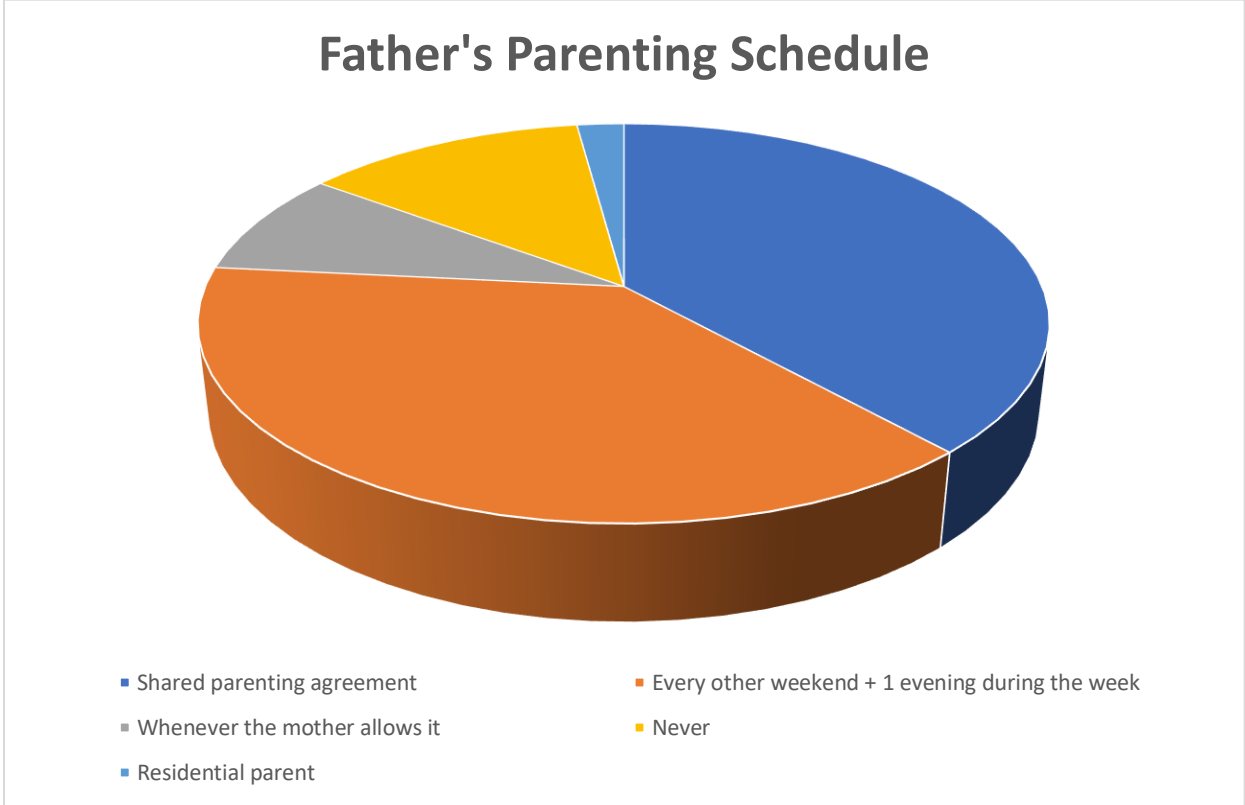
Question 8: Do you currently have a court ordered parenting schedule?

Question 8 asks whether respondents have a court ordered parenting schedule, 87.23% did 12.77% did not at the time they completed the survey. Admittedly, respondents that do have a court ordered parenting schedule is a higher number than anticipated. Questions 8, 9, & 10 of the survey all go together in painting a more refined picture of paternal rights in Ohio.

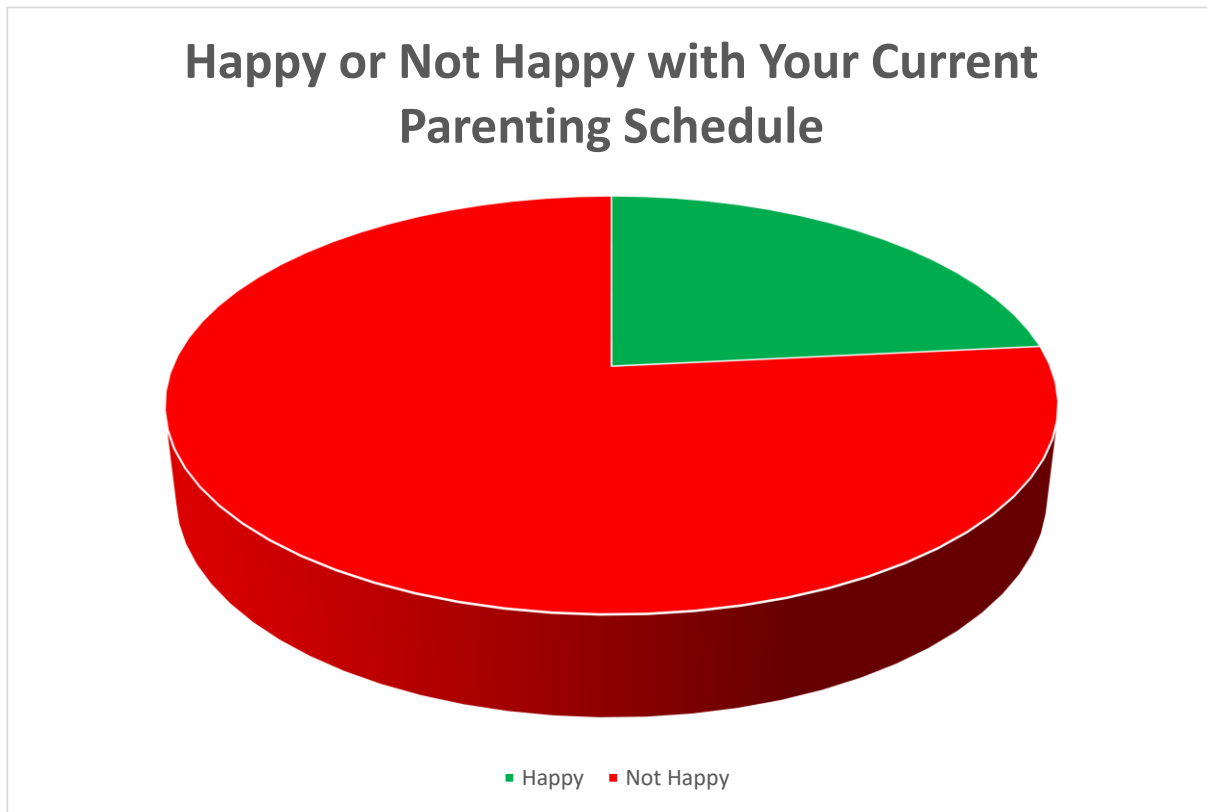


Question 9: How often do you have parenting time with your child?

Question 9 dives deeper into question 8, asking “how often do you have parenting time with your child,” and begins to peel back the layers that lead to question 10. As you can see, 77% of the respondents reported Shared Parenting or Every Other Weekend, with 23% reporting Whenever the Mother Allows It or Never.



Question 10: Are you happy with your current parenting schedule? Is your child? Why or why not?



The open ended responses reveal that the problem isn't necessarily having or getting a court ordered parenting schedule, but the problem lies in enforcing the schedule. Many of the respondents clearly state that they have a court ordered parenting schedule, but the mother isn't following it or is preventing it from taking place whatsoever. The only option is filing Contempt of Court charges on the mother and, even if the father can afford to hire an attorney to do that, those charges are usually thrown out by biased system.

Of course not. I fought for 4 YEARS to be "awarded" the bare minimum time with my children, despite what my kids wants or needs are.
No kids deserve equal time with both parents unless proven either parent is unfit
No it's not enough time
No, we are currently in court to attain custody of him
No. Never enough time spent, particularly when the child wants to spend time, but it all know it's a money figures game.
No. She has made many false statements to the court. We are getting ready to go back
Yes, we both appreciate the time we get!
No...not enough time with her. Feels like play dates.
No. It is to confusing, had every other week all year until mom decided she did t want to do it anymore.
No. The mother of my children is vindictive and will not allow one minute more than the court order allows. The current standard order includes 2 holidays, plus thanksgiving and Christmas,

2 weeks in the summer and every other spring break. It's heartbreaking that my children are growing twice as fast to me and they are suffering because of it. No reason at all. A tragedy
No. Her mother has absolutely poisoned her mind
No. No. My child wants to spend more time with me, due to being able to do things that help her development and education
No there is no visitation enforcement and they do Cooperate.
I am. I believe it is without question the best solution for raising children in a separated family unit.
I agreed to it so yes, but like I said haven't seen my child
No. Mother is very high conflict and counterparents. Child is unable to participate in activities they wish to and wishes they could be with me majority of the time. Has a little sister she is concerned about (different father)when she is not at moms house to care for her. Child says that is why she wasn't willing to tell court she wanted to be here because she needed to make sure she's there to make sure her sister is safe and being cared for.
Yes, have them a lot.
No. Mom wants all the power and I don't like not going off of a schedule
No
Not at all
No.
Not happy, and neither is my child. We only have two days together at a stretch, max. Hard to get in to a groove, and get everyone comfortable before they have to go back to their mom's.
No. I don't see my kids enough!
Yes
Yes. The kids are too.
No, I wish I didn't have to go without them.
I am not as she does not take their safety seriously, and was previously charged and plead guilty to child endangering. My kids are fine with it
No because mother only shows up when she wants and court doesn't care. I'm out of money for court and I haven't seen my child in 9 months.
No / working to get 50/50 in courts.
No I'm not happy. I do not believe my child is happy either but he's so young, I don't think he knows why. My ex is very manipulative and narcissistic so his feelings are a reflection of her bitterness over the situation she caused. The parenting agreement is a visitation agreement and that's basically what hat it has made me. A visitor. Not a parent/father.
Yes and no, I'd rather have custody. My kids would rather be with me
No, my daughter has been withheld from me since birth and to then only get a fraction of time, and the mother is rewarded for her bad behavior with child support.
My ex-wife is a substandard individual and doesn't support my relationship with my teenage daughter
NO! We both, me and my child, hate it. My child often cries when its time to leave
No. I feel like I'm grandparent or babysitter, not a father. My child mentions he's unhappy with it from time to time
No. Kids need both parents equally.
Mosly was
Yes we all are: we share 50/50 and are both actively involved parents as our child deserves
No. Child turned into liar due to her mother so she claims to not miss me. Have t seen or talked

to her in two years. The system is broken. The mother gets away with things I would be in jail for
No. Magistrate Brooker in Washington County won't allow me to have my children. I don't have a record.
No, my oldest would rather be with me full time and her mom on the weekends or when she wants. I do have 50-50 custody of her and her brother. My daughter is very vocal about not wanting to be with her mom and my son is becoming more vocal as he grows into himself.
My oldest child and I are both unhappy with the cure parenting schedule and would like to have more time together than 15% of the year.
No
Mostly, was penalized bc of my job
Not happy, children not happy. Daughters would like to be with dad full time because he does homework, cooks good food, and does homework.
Yes, 50/50 is ideal for the kids, although the last year has become increasingly difficult. The ex wants to be a friend and not a parent, always making me the bad guy.
No

Testimonial taken on 06/02/23

Name: Jason W.

Age: 47

Occupation: IT Specialist

State/County: Ohio/Preble

Child(ren): Daughter

1. **Where and/or how did things go wrong?** Jason was living with a woman for a few months and she got pregnant. It didn't work out.
2. **When were your custody rights established?** Child was born May of 2016, they split Feb of 2017.
 - a. **Did you have unofficial rights for a period of time, and then were denied parenting time?** He was cut off from the child's life instantly. She allowed supervised visits...hour here and hour there at a park or whatever.
 - i. **What was the custody process like for you?** Filed custody rights May 2017. Court ordered paternity test and parenting time for major holidays and a GAL (guardian ad litem).

GAL only visited house twice. First visit (2018) was basically a visual inspection to make sure child was being properly taken care of. Second visit (2019) was at the first unsupervised visit.

The Motion was filed in 2017 and they entered into an agreement May 2019. His parenting time was reduced to an hours on Tuesdays and an

hour on Thursdays from 2017 – 2020, because the court took 7 months to file the final judgement after it was established.

b. Were there other charges involved? Domestic violence, contempt of court, etc.? Yes, I filed contempt charges on her multiple times.

- i. **Contempt #1:** Mother denied court order parenting time on Christmas of 2017, but court threw it out because agreement had not been officially filed.
- ii. **Contempt #2:** No visitation/No Doctors appt notifications/Denied Father's Day/Habitually late on PU/Drop off times, but court threw it out because agreement had not been officially filed.
- iii. **Contempt #3:** No visitation/No Doctors appt notifications/Habitually late on PU/Drop off times, but court threw it out because agreement had not been officially filed.
- iv. **Contempt #4:** No visitation/No Doctors appt notifications/Habitually late on PU/Drop off times, but court threw it out because agreement had not been officially filed.
- v. **Contempt #5:** No visitation/No Doctors appt notifications/Habitually late on PU/Drop off times, but court threw it out because agreement had not been officially filed. Court recommended Our Family Wizard, a court-monitored communication app, this time though and they both agreed to use it.
- vi. **Contempt #6:** Filed October 2021 - No visitation/No Doctors appt notifications/Etc. On this last one, he had her dead-to-rights because the court is who recommended OFW and the fact that she unilaterally made the decision to stop using it was a direct slap in the face to the court. This is the leverage he needed. He told her to either agree to his terms or they were going to court over this contempt. She signed the final agreement right before the Contempt hearing, because she knew it was in her best interest to not have to face that Magistrate on the Contempt charges. Plus, she had previously requested PU-Drop offs take place at the local Police Department and they have video surveillance of their premises. So, every time after that that she arrived late to drop off or no-showed altogether, he had time and date stamped evidence of her violation(s) of the court order. Additionally, they were using OFW, so the court had prima facia evidence of her tardiness/no-shows.

vii. On the final order, the first 180 days he had child every Tuesday 4 – 8p, every Friday 4 – Saturday at 4p (first overnight). After that, he got the Standard Order – every other weekend and Tuesday evenings, 2 weeks of vacation time, holidays, etc.

c. After the 180 days, Coty (mother) unilaterally changed the weekday visits from 4 – 8p to 5 – 8p, and changed the weekend parenting time from PU at 4pm to 6pm.

3. Child Support: They didn't give him the chance to pay arrearages once the final judgement was in place, they garnished his wages, and put it on his credit report. He's suing them, and claims this case is going to be the precedent that changes things for all other father's in Ohio.

a. He had the hearing and they basically said there is nothing he can do to appeal it, he said "I'll see you in court."

b. He left the hearing and filed for full custody, because that is what you *must* do in order to appeal child support. He was playing their game and he knew exactly how to play it. They weren't counting on that. That case is still pending.

Acknowledging that this is all a matter of his opinion, this testimonial from Jason W. is important because it highlights the multiple challenges men face in Ohio's family court system(s).

A. Jason's story outlines to lengthy process of establishing paternity rights for Unmarried fathers.

B. Jason's story highlights the gender bias that exists in Ohio's family court system, only allowing him to see his child for 1 hour on Tuesdays and Thursdays until the court makes their final judgement.

C. Jason's story is just one example of how unmarried fathers are not treated fairly, or valued, by the family court system in Ohio; as indicated, by their 7 month delay in actually filing the final judgement that granted him his paternal rights. That was seven months he will never, ever get with his only child.

D. Jason's story illustrates exactly what a Caucasian Unmarried father – with a clean record and a good job – gets when he spends \$60,000 fighting the Ohio family court system.

a. This story makes me wonder what a poor father gets.

b. This story makes me wonder what a minority father gets.

c. This story makes me wonder what happens to a student when his or her father doesn't have the money or the status or the network to fight for his place in his

child's life.

- i. Lower test scores?
- ii. Undesirable in-school behaviors?

Some possible solutions may lie (collecting dust somewhere at the Statehouse) in the form of proposed House Bill 14:

https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/hb14/RCH/01/hb14_01_RCH?format=pdf.³

House Bill 14 closes some of the gaps in the Ohio Family Court System, such as:

- A. Making shared-parenting or co-parenting or joint custody the norm, not the exception.
- B. Provisions that ensure inclusive access to the non-residential parent, primarily fathers, regarding their child's medical and school records, as well as their ability to participate in those processes and/or environments.
- C. Penalties for residential parents who spirit their children away (oftentimes under the cover of night) to another state without filing the required court notice, leaving the non-residential parent alone in the State where they are established with no options for recourse or punitive measures that discourage such behaviors.
- D. Stiff penalties to parents who file false allegations such as domestic violence or child abuse for the purposes of enhancing the outcome of their custody proceedings. This is the number 1 dirty trick of dirty lawyers in the family court system, and it works because it is "guilty until proven innocent" when it comes to the family court system. Not the other way around. 1) Make false accusations. 2) Establish custody that alienates that parent while the bogus charges are pending. 3) Drop charges due to lack of evidence. It's as easy as that to have an unmarried father removed from his child's life in Ohio.

HB 14 – Proposed

Sec. 3109.0462. **A court that issues a parenting time order** pursuant to section 3109.0451 or 3109.12 of the Revised Code **shall determine whether the parent granted parenting time is to be permitted access**, in accordance with section 5104.039 of the Revised Code, **to any child day-care center that is, or that in the future may be, attended by the children with whom parenting time is granted**. Unless the court determines that the parent who is not the residential parent should not have access to the center to the same extent that the residential parent is granted access to the center, **the parent who is not the residential parent and who is granted parenting time rights is entitled to access to the center to the same extent that the residential parent is granted access to the center**. If the court determines that the parent who is not the residential parent should not have access to the center to the same extent that the residential parent is granted such access under section 5104.039 of the Revised Code, **the court shall specify the terms and conditions under which the parent who is not the residential parent is to have access to the center, provided that the access shall not be greater than the access that is provided to the residential parent** under section 5104.039 of the Revised Code, the court shall enter its written findings of fact and opinions in the journal, and the court shall include the terms and conditions of access in the parenting time order.

Sec. 3109.0463. (A) Subject to division (F) of section 3319.321 of the Revised Code, **when a court issues an order allocating parental rights and responsibilities for the care of a child, the parent of the child who is not the residential parent of the child is entitled to access, under the same terms and conditions under which access is provided to the residential parent, to any student activity that is related to the child and to which the residential parent of the child legally is provided access**, unless the court determines that it would not be in the best interest of the child to grant the parent who is not the residential parent access to the student activities under those same terms and conditions. If the court determines that the parent of the child who is not the residential parent should not have access to any student activity that is related to the child under the same terms and conditions as provided for the residential parent, the court shall specify the terms and conditions under which the parent who is not the residential parent is to have access to those student activities, shall enter its written findings of facts and opinion in the journal, and shall issue an order containing the terms and conditions to both the residential parent and the parent of the child who is not the residential parent. The court shall include in every order issued pursuant to this division notice that any school official or employee who knowingly fails to comply with the order or this section is in contempt of court.

Sec. 3109.0467. (A) Subject to division (B) of this section, **if the court denies parenting time to a parent who is not the residential parent and legal custodian of the child pursuant to section 3109.0451 of the Revised Code, the court shall establish a transition plan, to be issued at the same time as the denial of parenting time, to encourage, facilitate, and establish or re-establish the relationship between that parent and the child, provided that the parent has demonstrated a desire and ability to establish or re-establish a relationship with the child.**

- (C)(1) A transition plan issued under this section shall allow the parent to complete the plan not later than twelve months after the date of the denial of parenting time and the issuance of the transition plan, except that a joint motion requesting the court to modify the parental rights and responsibilities order as a shared parenting order under division (D)(1) of this division shall suspend the twelve-month period for the length of time from the filing of the motion to the issuance of a decision on the motion.
- D)(1) On or before satisfactory completion of the transition plan, either of the following may apply: (a) Both parents may jointly file a motion requesting the court to modify the parental rights and responsibilities order as a shared parenting order pursuant section 3109.0443 of the Revised Code; (b) One parent may file a motion, or both parents may file separate motions, requesting modifications of the parental rights and responsibilities order pursuant to section 3109.0442 of the Revised Code. (2) If a motion is not filed under division (D)(1) of this section, **the court, on its own motion and upon the parent's satisfactory completion of the transition plan, shall modify the parental rights and responsibilities order to provide for equal decision-making rights and responsibilities and equal parenting time.**

Sec. 3109.0475. **If a parent fails, without good cause, to file a notice of intent to relocate pursuant to section 3109.0471 of the Revised Code, the court may consider the failure as follows:**

- (A) **As a factor in making its determination regarding the relocation;**
- (B) **As a factor in determining a modification of a shared parenting agreement that has been incorporated into a shared parenting order or a parental rights and responsibilities order, and the court shall not consider that the child has been integrated into the new surroundings;**
- (C) **As a basis for ordering the return of the child** if the relocation has taken place without notice;
- (D) **As a basis for awarding attorney fees and expenses;**
- (E) **As a factor in a finding of contempt.**

Sec. 3109.0481. (A) Subject to division (B) of this section, in any divorce, legal separation, or annulment proceeding and in any proceeding pertaining to the allocation of parental rights and responsibilities for the care of the child, **if the court determines, based on an investigation or other evidence presented to it, that a person intentionally made a false accusation of child abuse or neglect against a parent, the court may impose a reasonable monetary sanction against the person making the accusation. The sanction shall not exceed the total of all costs directly incurred by the parent as a result of defending the accusation and reasonable attorney's fees incurred in recovering the sanction against the person making the accusation.**

Sec. 3109.0491. **On filing of a motion and supporting affidavit alleging interference with parenting time under a shared parenting order or parental rights and responsibilities order, a court shall hold a hearing not later than twenty-eight days after filing, unless for good cause shown the hearing shall be conducted earlier.**

Sec. 3109.0492. Any time prior to ruling upon a motion alleging interference with parenting time under a shared parenting order or parental rights and responsibilities order, **the court may issue temporary orders necessary to protect the relationship between parent and child.**

Sec. 3109.0493. After a hearing under section 3109.0491 of the Revised Code, and **upon a finding there has been unreasonable interference with parenting time under a shared parenting order or parental rights and responsibilities order, the court shall issue both of the following:**

- **An award of compensatory parenting time, provided that compensatory parenting time is not detrimental to the child based on the factors in section 3109.0411, 3109.0421, 3109.0422, or 3109.0453 of the Revised Code, whichever is applicable;**
- (B) **An award of any reasonable attorney's fees and court costs arising in relation to the act of interference with parenting time.**

Sec. 3319.321. (A) No person shall release, or permit access to, the directory information concerning any students attending a public school to any person or group for use in a profit-making plan or activity. Notwithstanding division (B)(4) of section 149.43 of the Revised Code, a person may require disclosure of the requestor's identity or the intended use of the directory information concerning any students attending a public school to ascertain whether the directory information is for use in a profit-making plan or activity.

- (5)(a) **A parent of a student who is not the student's residential parent, upon request, shall be permitted access to any records or information concerning the student under the same terms and conditions under which access to the records or information is available to the residential parent of that student**, provided that the access of the parent who is not the residential parent is subject to any agreement between the parents, to division (F) of this section, and, to the extent described in division (B)(5)(b) of this section, is subject to any court a parenting time order issued pursuant to section 3109.051 3109.0451 of the Revised Code and any other court order governing the rights of the parents.
- (b) **If the residential parent of a student has presented the keeper of a record or information that is related to the student with a copy of an order issued** under division (H)(1) of section 3109.051 3109.0461 of the Revised Code that limits the terms and conditions under which the parent who is not the residential parent of the student is to have access to records and information pertaining to the student or with a copy of any other court order governing the rights of the parents that so limits those terms and conditions, and if the order pertains to the record or information in question, **the keeper of the record or information shall provide access to the parent who is not the residential parent** only to the extent authorized in the order. If the residential parent has presented the keeper of the record or information with such an order, **the keeper of the record shall permit the parent who is not the residential parent to have access to the record or information only in accordance with the most recent such order that has been presented to the keeper by the residential parent or the parent who is not the residential parent.**

In conclusion, this is a conversation about Decision Rights. Judicial discretion may have worked in the 1950's, but we are living in a 2023 world. Emotional Intelligence was written by Daniel Goldman in 1995, and a slew of research before and after that book was published proving men are no longer the emotional ogres the family court system was built on. Men have evolved and so should the system. Clear-cut judicial guidelines should be established so the family court system can streamline its processes and get children in both parents' arms faster, and fairly. Many of the solutions proposed in HB 14 take the decision rights out of the magistrate and judge's hands, and replaces them with ruling guidelines they are required to follow. No one person's opinion should dictate the course of a child's life with the scratch of a pen.

We need clear-cut consequences for parties that attempt violate court orders and/or gum-up the custody process with shotty strategies and tactics. The Ohio family court system has created a safe haven for inept attorneys who want to drag proceedings out and milk their clients for more fees, and it's all at the cost of lower test scores and more undesired behaviors among Ohio public school students. They don't even hide it; it happens every single day in broad daylight.

Amato and Gilbreath conclude their study by reporting, "The U.S. Commission on Child and Family Welfare (1996) recommended abandoning the concepts of custody and visitation. These concepts imply that one parent "wins" the children and the other parent "loses." Instead, the commission recommended the adoption of parenting plans in which parents make decisions jointly (perhaps with the assistance of a trained mediator) about the child's primary residence, the amount of time children will spend with each parent, and the types of responsibilities each parent will adopt. Moving away from traditional notions of custody may be a useful step toward increasing fathers' incentives and opportunities for positive participation in their children's lives. A recent longitudinal study by Seltzer (1998) showed that nonresident fathers with joint legal custody visited their children more often and had more overnight visits than other nonresident fathers, even after controlling for a range of demographic characteristics and the father's level of involvement prior to divorce. This finding suggests that policies that encourage nonresident fathers to maintain the parental role after divorce can positively influence men's behavior."

I agree, and would infer that children's well-being would increase dramatically if we stop treating non-residential fathers as "visitors" and start treating them as the adaptive solutions they can be – engaged parents.

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