

WRITTEN TESTIMONY IN OPPOSITION TO SENATE BILL 174 (THE JUDGES' BILL)

SUBMITTED TO THE OHIO SENATE JUDICIARY COMMITTEE – NOVEMBER 5, 2025

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I. INTRODUCTION

Chair Manning and Members of the Senate Judiciary Committee:

My name is Jamie Meade, and I appear before you today as both a citizen and an advocate for children, parents, and families across Ohio. I am not funded by any political organization or bar association. I am a grandmother, a state and federal pro se litigant, and one of thousands of Ohioans fighting to restore balance, transparency, and accountability within our family-court system.

Senate Bill 174, written and promoted by judicial lobbyists and family-law attorneys, is a dangerous and regressive measure that strips parents of fundamental rights, expands judicial power without oversight, and undermines the constitutional framework that protects the family unit. For these reasons, I urge this Committee to reject SB 174 in its entirety.

II. BACKGROUND AND CONTEXT

SB 174 was introduced by Senators Theresa Gavarone and Paula Hicks-Hudson at the request of the Ohio Judicial Conference. On its face, the bill purports to “modernize parenting statutes.” In reality, it deletes and rewrites decades of settled law in Ohio Revised Code Chapter 3109, removing the phrase “parental rights and responsibilities” from multiple sections and replacing it with vague, court-centric terms such as “parenting plan” and “parenting responsibilities.”

This change is not semantic; it is structural. It recasts parents from constitutional rights-holders into mere participants in a government-supervised plan. Under the guise of modernization, it increases judicial discretion and decreases due-process safeguards.

III. LEGAL AND CONSTITUTIONAL CONCERNS

1. Elimination of Recognized Parental Rights.

SB 174 strikes the statutory phrase “parental rights and responsibilities,” found throughout ORC 3109.04 – 3109.053, and substitutes “allocation of parenting responsibilities.” This erasure removes the legislative recognition of parents as rights-holders and replaces it with a regulatory framework controlled by the court. The U.S. Supreme Court has long held that the right of parents to make decisions concerning the care, custody, and control of their children is a fundamental liberty interest protected by the Fourteenth Amendment. (*Troxel v. Granville*, 530 U.S. 57 (2000); *Meyer v. Nebraska*, 262 U.S. 390 (1923)). Any legislation diminishing that recognition invites constitutional challenge.

2. Expansion of Judicial Discretion without Guardrails.

SB 174 adds multiple new “best-interest” factors and authorizes courts to override the decisions of two competent parents merely because a judge “has a better idea.” This conflicts with substantive due-process principles limiting state interference in family life absent a compelling interest and narrowly tailored means.

3. Repeal of Statutory Protections and Parental Equality.

The bill proposes repealing ORC 3109.041 and 3109.042, which preserve equal standing of both parents in custody and shared-parenting determinations. ORC 3109.042 is especially vital to unmarried fathers; its repeal would exacerbate discrimination that House Bill 256 seeks to correct. The two bills stand in direct conflict.

4. Increased Risk of Arbitrary State Action.

From a civil-rights perspective, SB 174 opens the door to arbitrary decisions by judges and magistrates, eroding equal protection under the law. When “parental rights” are no longer codified, remedies under 42 U.S.C. § 1983 become the only recourse—forcing parents into federal litigation to defend rights that state law once respected.

IV. PRACTICAL IMPACT ON OHIO FAMILIES

As someone currently engaged in both state and federal litigation against systemic misconduct by county children-services agencies and family-court officials, I have witnessed first-hand the dangers of unchecked judicial discretion. Ohio already suffers from disparities in custody outcomes, inconsistent application of kinship-placement laws, and an alarming lack of accountability.

In Hancock County, Children Services has forced nearly every family into court proceedings while disregarding the statutory mandates favoring kinship placement. For more than fifteen months, the agency has refused to conduct a single home study for qualified relatives, issuing only blanket denials without written explanation or due-process review. Families who ask questions or advocate for compliance are met with retaliation and silence. Complaints and grievances go unfiled or unheard. This county is already unchecked and had 81 children in custody in 2024 and placed only ONE child in kinship. Allowing a bill like SB 174 to pass would further enhance this imbalance, granting even greater discretion to the same courts and agencies that already disregard statutory and constitutional safeguards. Women are being jailed for speaking out. Innocent families are losing their children.

My family represents the very best of what kinship care was meant to provide: a reputable, stable network that includes a retired police chief, a director of nursing, a registered nurse advancing to CNP, and a licensed massage therapist who has hosted six foreign-exchange students through federal and international programs. Yet despite our record of service, caregiving, and public trust, we have been categorically denied any role in our grandchildren's lives. I personally experienced court ambushes built on misinformation and false statements, with no opportunity to respond or present evidence. This unchecked power has stripped my family—and many others—of the fundamental protections guaranteed by law.

Allowing a bill like SB 174 to pass would only entrench this injustice. It would legitimize unchecked judicial power, eliminate transparency, and further strip families like mine of the constitutional protections that stand between children and bureaucratic overreach. When courts

and agencies can disregard qualified kin entirely, the words “best interest of the child” lose all meaning.

SB 174 would magnify these problems by:

- Allowing judges to override mutual parenting agreements without findings of harm or unfitness;
- Removing statutory guidance that currently limits subjective judicial decision-making; and
- Empowering courts over families, contrary to the principle that parents—not the State—know their children best.

V. COMPARISON WITH PRO-FAMILY LEGISLATION

While SB 174 seeks to centralize authority within the judiciary, two current House measures move in the opposite—pro-family—direction:

- HB 256 (Unmarried Fathers Bill) corrects discrimination under ORC 3109.042 by recognizing fathers who have established paternity as equal parents. This measure restores balance and due process and deserves full support.
- HB 162 (My Child-My Chart Act) reaffirms parents’ right to access their children’s medical records—a simple but vital protection of parental authority.

The contrast is stark: SB 174 diminishes family autonomy; HB 256 and HB 162 strengthen it.

VI. POLICY AND CIVIL-RIGHTS IMPLICATIONS

1. Separation of Powers: When judges draft and sponsor the laws that expand their own discretion, legislative independence is compromised. This bill was written by judges, for judges. That is not how democracy works.
2. Due Process: By erasing codified rights and increasing judicial control, SB 174 invites inconsistent, subjective rulings that disproportionately harm lower-income families who cannot afford prolonged litigation.
3. Equal Protection: Without clear statutory standards, decisions may vary not by law but by geography, personality, or prejudice—a violation of the Fourteenth Amendment’s guarantee that all families stand equal before the law.

For these reasons, I respectfully urge this Committee to:

1. Vote NO on Senate Bill 174;
2. Table or kill the bill in committee before further advancement;
3. Hold additional public hearings inviting parents, grandparents, and citizens—not only bar associations—to testify;
4. Support companion pro-family legislation such as HB 256 and HB 162; and
5. Enact real reform by restoring transparency, accountability, and family unity—not by expanding unchecked judicial authority.

Please hold a public hearing to listen directly to families already affected and suffering from abuse of power, retaliation, and unchecked authority within our courts and agencies.

Ohio’s families deserve laws that protect their rights, not legislation drafted to protect the power of the bench. The Constitution entrusts family decisions to parents, not to government. As a

mother, grandmother, and citizen, I ask you to stand with Ohio's families and vote NO on SB
174.

Respectfully submitted,

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Dated: November 1, 2025