

To Chairman Bacon, Vice-Chairman Dolan, Ranking Minority Member Thomas and fellow members of the Senate Judiciary Committee, thank you for this opportunity to present my Proponent Testimony on House Bill 1.

As a Judge of the Cuyahoga County Domestic Relations Court for the last 8 years I would like to present my views regarding HB 1. I understand that my views may be different from those of some of my honorable colleagues on the bench in Cuyahoga County, and other members of the Ohio Judicial Conference who have already testified before the House Civil Justice Committee.

I strongly support this bill. I believe that existing law does not adequately protect victims of physical and emotional violence who are in dating relationships, who are vulnerable even if they have never lived with the perpetrator. In short I believe that wherever possible, the Domestic Relations Courts should be in the business of protecting all people from violence within relationships.

I do not believe that this bill is in any way inconsistent with Ohio Legal precedent in that the Ohio Revised Code already gives the Domestic Relations Court's jurisdiction to hear domestic violence cases involving parties that were never married. Further, under existing law, in some circumstances, Ohio Domestic Relations Court's deal with parenting issues involving children whose parents were not married at the time of their birth, if those parents later marry.

I think that Domestic Relations Judges, who are accustomed to making factual findings without juries, would have no difficulty determining the "existence of a dating relationship" as proposed by O.R.C 3113.311(A)(3)(b). This type of a decision is no different than the other types of decisions Domestic Relations Judges make every day when they apply statutory frameworks and case law to factual scenarios. Anyone who becomes a Judge should have the ability to exercise judicial decision making with the guidance already provided by HB 1. I see no barrier to effectively protecting people in "dating relationships" that will be caused by the creation of this new statutory term. To the extent that HB 1 presents new challenges to Domestic Relations Court's I believe that these would fall into the category of expanding our services outside of traditional "silos of expertise" which is in vogue in Ohio and national legal circles.

I agree that due process may subject the victims of dating violence to potentially embarrassing questions regarding their relationship with the alleged perpetrator, but this would be true regardless of the forum, and I believe that this decision should be made by the victim.

I understand that Domestic Relations Courts may require more resources earmarked for the new domestic violence jurisdiction HB 1 creates, but this is a separate issue. Indeed, all of the services our courts provide with regard to victims of domestic violence may be at risk as federal funding in the area appears to be an issue of contention under the new President and Congress, but this should not distract us from the main goal advanced by this legislation which is to protect the victims of violence within relationships.

I believe that the 48 other states that have adopted similar laws have done the right thing, and that Ohio should join them in expanding the protections of law to the victims of dating violence.