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## OADRJ RESPONSE TO NPO

Each Domestic Relations or Family Court in Ohio is required by statute to have a “standard” parenting time order for parents who do not agree on a parenting time schedule for their children. In reality, most Courts have services in place to assist parents and the Court in determining an appropriate parenting time schedule that serves the best interest of the children of that particular case. Examples of services provided by many Courts include, but are not limited to, mediation, Early Neutral Evaluation (ENE), the appointment of a Guardian ad Litem, an In Camera Interview of a child, an order for forensic evaluation or the appointment of a parenting coordinator. Moreover, in cases where there are no issues involving abuse which would prevent shared parenting, most Courts encourage parents to enter into a shared parenting plan which provides that both parents are residential parents by law.

Courts work with parents, often using the above-mentioned services, to customize a parenting order that is appropriate to the ages of the children and the facts specific to each family. Many parents may have unique work schedules; for example, nurses, police officers, firefighters, swing shift workers, or those who travel for work. Many children have complicated school, extracurricular and work schedules. All of these schedules must be taken into consideration when fashioning a parenting order that is in the best interest of the children and feasible for the parents. Therefore, when the parties are not in agreement and evidence is presented, a Court will issue an order that is based upon the particular facts of that family.

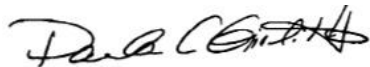
The National Parents Organization (NPO) issued a report August 30, 2018, which purported to analyze and evaluate the parenting time ordered by Domestic Relations and Family Courts in Ohio. The analysis is not qualitative or even truly quantitative. Thus, the grading system is fundamentally defective.

The NPO report erroneously assumes that a Court automatically adopts its standard parenting time order in cases in which both parties participate in a hearing but no agreement is reached in lieu of issuing a customized order after a hearing occurs. An intrinsic flaw in the NPO report is that there was no review of actual outcomes in any Domestic Relations or Family Court cases in Ohio. In addition, there was no understanding of the efforts within Courts to adopt or tailor an appropriate parenting time schedule for parents when they are unable to reach an agreement. Instead, the NPO utilized a methodology which quite literally counted the number of general overnights for a non-residential parent on a Court’s standard parenting time schedule. The methodology failed to include overnights associated with holidays, other days of special meaning, or vacation or any other specified parenting time in the court.

Without understanding the practices of the Courts or the customized nature of the Courts' decisions, and without even the reviewing actual orders, the NPO report conclusions are a simplistic count of what might be the potential order in some of the Courts, excluding time for vacations, holidays, and days of special meaning.

The Supreme Court of Ohio has recommended various age-appropriate schedules which are available to all parties in the State of Ohio; however, there are too many possible schedules to be referred to as a "standard" order. Therefore, many Courts have adopted separate age-appropriate plans for infants and toddlers which take into account early childhood development. The NPO report does not consider that the Supreme Court of Ohio guidelines and the many individual "standard" parenting time plans include provisions for parents who live in different geographic locations. The report fails to consider or review cases where one of the parents does not participate in the legal proceedings or possibly even in the child's life. In those cases, the standard parenting time order may be more likely, but not necessarily, issued. For example, in some instances, it may be more appropriate for supervised parenting time to be ordered if there is family violence. Again, without actual review of actual orders, the conclusions stated in the NPO report are inaccurate, misrepresentative and speculative.

The Ohio Association of Domestic Relations Judges disputes the simplified counting and consequent grading in the NPO report. The underlying goal of the NPO is for Courts to automatically issue an order for equal parenting time between parents upon the filing of a complaint. This goal is ill considered and imprudent as it fails to take the current status of each family, including housing issues, alcohol or substance abuse issues, domestic violence issues, and work schedule issues into account. But most of all, it does NOT guarantee or protect the best interest of a child. It is the duty of every judicial officer in Ohio to make orders based on the facts of each case, not to adhere to a superficial system for the counting of equal days.



Judge Paula C. Giulitto  
Portage County Domestic Relations Court  
President, Ohio Association of Domestic Relations Judges