

Family Law Matters

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Judge Beth A. Smith

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Mahoning County Domestic Relations Court

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Greetings

Welcome to the first issue of *Family Law Matters*, a newsletter of the Mahoning County Domestic Relations Court. I want the community to become familiar with the important work the court does on a daily basis helping parents structure their family unit through divorce, dissolution of marriage, and reallocation of parental rights and responsibilities. In addition, the court in 2018 heard 835 requests for domestic violence civil protection orders. Our community needs to be aware of the services we provide for survivors of domestic violence. I hope you find this newsletter interesting and beneficial.

Judge Beth A. Smith

Access to Justice

Self-Help Clinic

As a judge, I am thankful to the Ohio Supreme Court's continued support of this court and domestic relations. In 2018, our court was awarded a grant for \$11,440.00 from the Supreme Court of Ohio through the Civil Justice Program which is funded exclusively by lawyers practicing in Ohio. The primary objective of the Supreme Court's grant was to provide low income individuals with greater access to justice and to innovate new approaches to achieve this goal. The grant provided funds for the implementation of a clinic for low income and self-represented litigants who have legal issues concerning domestic relations law. Local attorneys assist in preparing documents and answering legal questions. The court is continuing this service the first and third Wednesday of each month at the Mahoning County Law Library on the 4th floor of the Mahoning County Courthouse. I am pleased to partner with Mahoning County Law Librarian and Director Susan McGrew in hosting the clinic in the law library. Last year, approximately 13 attorneys participated and served over 300 family law litigants; I appreciate the attorneys helping individuals access justice.



(l. to r.) Patty Burkard, Judge Smith and Susan McGrew

Preventing Domestic Violence

The Mahoning County Domestic Relations Court recognizes domestic violence as one of the most difficult social problems in our time. The court secured grants in 2016, 2017, and 2018 from the Office of Criminal Justice Services Department under the Violence against Women Act (VAWA). The grants enabled the court to hire Domestic Violence Coordinators. The first coordinator, Valerie Flanigan, created the program and court service. Valerie serves part time with coordinator Marguerite Craciun. Both are licensed social workers who provide safety planning, community resource referrals, and supportive services to persons seeking domestic violence civil protection orders. To date, Marguerite and Valerie have issued over 2,140 safety plans. The court was awarded the grant for 2019.



(l. to r.) Marguerite Craciun and Valerie Flanigan

Safe Talks

Safe Talks started as a court program held every Wednesday from 10:00 a.m. to 11:00 a.m. Valerie Flanigan facilitated the program meeting with survivors of domestic violence to discuss numerous topics. The topics included signs of abusive personality, power and control, the cycle of violence, understanding emotional abuse, and recognizing signs of change. She recognized the need for addressing these topics was too limited for a weekly hour session. I modified the service to allow survivors of domestic violence to contact Valerie by phone or make individual appointments.

Educating Families

The Mahoning County Domestic Relations Court has long recognized that divorce is a very stressful experience for both parents and children. I have partnered with the Alta Care Group to present valuable education programs aimed at minimizing tension, promoting understanding and improving communication.

Our **Education for Parents**, “*Help for Children in Divided Families*”, is a 2½ hour mandatory education program taught by Jill Thompson, LPCC, that is held monthly. The class helps parents place the focus on what children need during and after the divorce and how parents can help them succeed. Education topics include: *The Experience of Divorce for Adults*; *How Children React to the Divorce*; *How Parents can Help their Children*; *Building a Parental Relationship with Your Former Spouse After Divorce*; and *Help in Solving Problems Around the Children*.

Our **Education for Children**, “*For Our Children*”, is also a 2½ hour program that teaches children in age groups 7 to 9 and 10 to 12 how to identify and express thoughts and feelings about family changes as a result of divorce. The program is taught by Kristen Hartz McCleery, LPCC, and topics include: *Education about Strategy and Coping Skills in Managing their Feelings about Divorce*; *Children’s Bill of Rights*; *Disputing Myths that Children Sometimes Have about Divorce*; *Skill Building to Express Feelings and Needs*; and *People to Talk To*.

Both education classes take place at the Alta Care Group, 711 Belmont Avenue, Youngstown, Ohio 44502.



(l. to r.) Joe Shorokey, CEO; Judge Smith and Kristen Hartz McCleery

New Law

Dating Violence

On July 6, 2018, the new dating violence civil protection law became effective. On that date, the court had the first dating violence civil protection request. A dating relationship between two people is neither a casual acquaintance nor an ordinary business or social relationship. The law is intended to provide for the right of a domestic violence victim in a dating relationship to secure a civil protection order. The relief includes, but is not limited to, the following: ordering the abuser (respondent) to refrain from contacting the petitioner (requesting protection); ordering the respondent not to enter or interfere with the residence, school, business, place of employment, or day care centers of the petitioner; ordering counseling for the respondent; ordering the respondent from posting any photographs or other images of the petitioner; ordering the respondent to not remove, damage, hide or dispose of any companion animals or pets owned or possessed by the protected party; and requiring that the respondent shall not possess, use, carry or obtain any deadly weapon, firearms, or ammunition. The court has heard 43 dating violence civil protection petitions since the law went into effect.

Child Support

House Bill 366, the first major update to child support since 1992 becomes effective March 28, 2019. The law updates the economic tables used to calculate child support to ensure that child support orders are appropriate across various income levels. In addition, it creates a standard deduction in the event of multiple child support orders so that all children are treated equal. The law implements a parenting time adjustment to standard child support orders to account for the amount of time a non-residential parent spends with his or her children. The law also increased the minimum order of child support to \$80.00 per month as a base line obligation.

Tax Cuts & Jobs Act of 2017 (TCJA)

The Tax Cuts & Jobs Act of 2017 passed in December of 2017 making significant tax changes. Some of the highlights of those changes to individual income tax were an almost double standard deduction for both single and joint filers, limits on itemized deductions, decreased income tax rates, and expanded child tax credits. Mortgage interest along with state and local taxes paid were limited as deductions. Spousal support payments made pursuant to a divorce or separation instrument executed after December 31, 2018 will no longer be deductible from income by the payor spouse or included as income by the recipient spouse.

Juvenile Transfer

House Bill 595 will provide the authority for a juvenile court to transfer an action or an order it has issued for child support or custody to a domestic relations court under certain circumstances. The Governor signed the bill on December 21, 2018. The law will be effective March 22, 2019.

Employee Highlight

Ruth White

Each newsletter will feature a court employee. My court has fourteen employees with vast experience, including this issue's featured employee Ruth White, a veteran employee of the Mahoning County Domestic Relations Court. Ruth has been with the court since 1988 and is a highly skilled clerk in the court. Ruth is primarily in charge of domestic violence civil protection orders. She is also a secretary for Magistrate and Court Administrator Don Hepfner and Family Services Director, Luis Arroyo. She is a dedicated mother of two daughters, Amber and Ashley, who live in North Carolina. In her free time, she enjoys baking, exercising, and participating in charity walks. Thanks to Ruth White for her dedication in serving the public.



Ruth White

In the Community

I recognize the importance of sharing topics the court addresses on a daily basis so that the community may better understand the complex issues domestic relations encompasses.

Inspiring Others

The General Federation of Women's Clubs, Northeast District hosted a legislation day and a district awards luncheon. As keynote speaker, I shared my career path as a woman and my experience as a former county court and current domestic relations judge. The members from the numerous clubs asked questions and remarked about social issues women face today. I applaud this organization for the work they do for our community, specifically their signature project Domestic Violence Awareness and Prevention.

Domestic Violence Victim Awareness

The Daughters of the American Revolution hosted their May meeting, and I had the opportunity to share information about domestic violence civil protection orders. The members participated in an interactive exercise that placed them in the role of a domestic violence survivor. The exercise illuminates the difficulties that survivors of domestic violence and their children face when deciding to escape the cycle of violence. Each participant is given different sums of pretend money and then a scenario is read aloud. The survivor must decide based on resources and facts they are faced with, where they go, and how they deal with the violence.

This group also sends members to our Naturalization Ceremony at the Mahoning County Courthouse to give each new citizen an American flag. It is my hope that their patriotism will continue to spread throughout our community.



Judge Smith with some members of The Daughters of the American Revolution

Seniors and Members Unite

The Greenford and Beaver Ruritan Service Clubs hosted a scholarship banquet and program for the South Range High School Seniors. The clubs have fundraising events in the community to provide scholarships to several South Range High School Seniors. The members of the clubs and senior students attend this program. I had the pleasure of sharing my journey as the first female judge in Mahoning County with members and students at the annual scholarship banquet. Hopefully my experience and determination encouraged the seniors to do their best in pursuit of further education, military service or employment. Our future is our youth and these seniors were a reminder that our country will be in capable hands. The Greenford and Beaver Ruritan clubs are pillars of the South Range community.