Ryder's Law

Legislative Brief

Proposed Ohio Legislative Framework

Presented by Carey Ann George

November 8, 2026 (Eastern Time)

For consideration by the Ohio General Assembly

This proposal establishes child-safety, medical-continuity, family-integrity, and public-accountability protections. It is submitted for legislative consideration and is not enacted law or certified bill text.

Legislative priorities

Prevent harm before a transfer. Require observed caregiving competency, clinician-directed feeding and allergy safeguards, actual supplies, receiving-provider acceptance, and a safe discharge and transport plan. Emergency treatment must continue without interruption.

Make protection timely and accessible. Provide staffed after-hours review, independent clinical assessment, meaningful notice and records, interpretation, disability accommodations, and nondigital access. Emergency review and public enforcement must not depend on purchasing a private lawyer, expert, transcript, or supervision service.

Assign public responsibility from the first report. Establish one accountable county Enforcement Unit, expressly authorized public counsel, named case ownership, state backup for conflicts or incapacity, reasoned closure, and free supervisory review.

Correct systemic procedural failures. Define observable patterns of documented safety, notice, access, conflict, record, and deadline failures. Provide independent administrative investigation, preservation, referral, corrective plans, and de-identified reporting while respecting judicial and professional authority.

Protect safety and due process together. Require survivor-safe screening before enforcement. Distinguish motions and attorney instructions from operative orders. Protect good-faith reporting, confidential treatment, and the child's voice. Prohibit compelled recantation and unsafe reunification. Sanctions require legally established conduct and appropriate process.

Requested legislative action

Sponsor coordinated Ohio legislation and appropriations, obtain a fiscal note and interagency implementation plan, and request companion Supreme Court rules. The proposal contains 54 substantive sections. Appendix A assigns operational responsibilities for each section.

Scope of authority

The proposed heightened clear-and-convincing standard applies to defined nonacute continuation decisions concerning substantial contact restrictions. Independent domestic-violence protection, child-protection, emergency, and other governing legal standards remain applicable. Initial restrictions require lawful grounds, individualized reasons, and prompt review. Missed deadlines require authorized judicial correction, not automatic unsafe contact or expiration of independent protection.

Public enforcement begins with a documented report, followed by verification and safety screening. Allegations do not count as established violations. Administrative staff do not adjudicate contempt, issue warrants, or change custody. The Oversight Office reviews administrative compliance and systemic failures; judicial merits and professional discipline remain with competent authorities.

Controlling enforcement and review matrix

All new numeric clocks are proposed policy choices. Hours are continuous elapsed hours, including nights, weekends and holidays. Days are calendar days unless business days are specified. Earliest sufficient authorized receipt starts intake clocks; internal forwarding does not restart them. A shorter governing requirement controls. Independent protection-order and child-protection procedures remain intact.

Trigger	Owner and clock	Safe backstop
Life-threatening danger	Emergency authorities and duty judge immediately	Treatment continues; authorized alternate coverage
Other acute safety matter	Triage four elapsed hours; clinical/interim review 24; adversarial hearing 48	Reasoned finite extension, fresh acute findings, safe interim care
Nonacute new substantial restriction	Hearing seven calendar days from issuance	Prompt authorized judicial correction, not unsafe default
Continuing substantial restriction	Fresh determination by day 30; later intervals no longer than 60 calendar days	Current reasons, feasible conditions, no default protection lapse
Active exchange denial	Unit verification, screening and attempted safe outreach within four elapsed hours	Judicial risk review and public counsel; no administrative seizure
Other nonacute contact report	Acknowledge one business day; initial verification/screening two	Retrieval and progress notices, supervisor and state backup
Unresolved interference	Counsel referral by five business days; seek necessary hearing within 14 calendar days of original intake; supervisor by ten business days	Lawful service, shortest justified extension, safety screening
Nonacute modification	Management 30 calendar days; evidentiary hearing 90; final decision 180	Specific exceptional extension and automatic delay referral
Reserved ruling	Written decision within 30 calendar days after evidence closes; earlier overall deadline controls	Authorized judicial coverage, no record reopening to evade time
Qualifying catastrophic event	Preserve 24 elapsed hours; refer 72; preliminary recommendations 30 calendar days; final 90 with one extension up to 60	Immediate referral of ongoing risk; no causation presumption

Trigger	Owner and clock	Safe backstop
Office administrative complaint	Acknowledge two business days; plan ten; ordinary findings 60 calendar days; status every 30 if extended	Independent routing, reasoned disposition, agency corrective plan
Unit closure review	Request within 30 calendar days, exceptions for good cause/new evidence; decision ten business days	Acute routing immediate; state backup; no fee

Legal authority and implementation

Ohio custody, protection and public enforcement

Conforming legislation should identify the covered provisions of Chapters 3109 and 2151, the exact scope of the continuation standard, and the exceptions preserving independent protection and child-protection proceedings.

R.C. 2705.031(B)(2) authorizes qualifying persons connected to parenting-time or visitation orders to initiate contempt. Establishing the proposed public-counsel pathway requires express standing, venue, filing, service, representation, conflict, and funding provisions. Governing summons, hearing, counsel, and contempt protections must apply.

R.C. 3109.051(K) addresses costs, attorney fees, and discretionary compensatory parenting time based on the child's best interest. The proposal's remedies must be coordinated with those requirements. R.C. 2919.23 contains defined conduct, culpability, and defenses; missed contact alone does not establish a crime. A prosecutor's charging decision does not resolve available civil enforcement.

R.C. 3113.31 supplies independent domestic-violence standards, service, hearing, modification, confidentiality, and enforcement requirements. Its provisions governing continued ex parte protection must be preserved. Any supersession of custody-related terms requires analysis of the operative orders and statutory authority; it does not automatically cancel every protection term.

Interstate jurisdiction and medical safety

R.C. 3127.18 requires the child's presence and statutory emergency predicates and governs communication and duration when another state has jurisdiction. Medical complexity alone does not establish jurisdiction.

R.C. 3127.38 provides expedited enforcement hearings; R.C. 3127.41 governs custody warrants under defined predicates; R.C. 3127.44 provides expedited appeal and restricts enforcing-court stays except a temporary emergency order under R.C. 3127.18. Transition pauses and appellate relief require coordinated amendments consistent with 28 U.S.C. 1738A. They cannot create an unauthorized best-interests retrial of a sister-state determination.

Related-case disclosure and enforcement records require protected identifying-information procedures under R.C. 3127.23(D), role-based access, secure retention, access logs, breach response, and limits on secondary use.

Reporting, court rules and remedies

R.C. 2151.421 governs mandatory reporting and related duties. Operational coordination must preserve its exceptions, confidentiality, and agency authority.

Ohio Constitution Article IV, Section 5(B) requires coordination with Supreme Court rulemaking and professional authority. Recording, GAL practice, judicial assignment, appellate jurisdiction, and discipline require appropriate allocation. The proposed Office cannot reverse orders, direct disqualification, or discipline judges.

Judicial immunity and other damages limitations remain governed by applicable law. Section 1983 limits judicial-capacity injunctive relief. Mireles v. Waco, 502 U.S. 9 (1991), addresses judicial-act immunity and its

narrow exceptions. Prospective correction, civil coercion, punitive contempt, and independent criminal proceedings require distinct authority and safeguards.

Fiscal requirements and implementation schedule

A fiscal note should estimate staffing and workloads for around-the-clock intake and judicial coverage, independent clinicians, Units and public counsel, state backup, qualified supervision, safe exchanges, interpretation, disability access, rural travel, transport, equipment, supplies, secure records, training, the Office, audits, and evaluation. Appropriation amounts and eligibility for any existing federal funding require independent budget and program review.

Fund emergency coverage by day 90, Unit/counsel and access systems by day 180, and the permanent Office and statewide backup by day 270. Interim funded administration and quarterly readiness reports must identify staffing, funds, rule dependencies, regional gaps, and corrective owners. Measure lawful resolution and safe follow-through, not closed files alone. Publish a first-year report, annual audits, and an independent evaluation after three years.

Federal coordination

Ohio legislation governs Ohio institutions within their lawful authority. Any separate voluntary federal grants for care continuity, interstate records, training, or de-identified review require clear related conditions and federalism analysis. Unrelated medical funding and children's care must not be reduced as an enforcement device. The proposal creates no federal custody appeal and does not direct another state's courts.

Requirements before introduction

- Specific codification, covered proceedings, continuation-burden coverage, and statutory exceptions.
- Office appointment, removal, protected access, constitutionally limited investigative powers, and review procedures.
- Named state administrator, county institutional homes, and conflict/capacity backup.
- Public-counsel standing, jurisdiction, service, representation, and conflicts provisions.
- Emergency appellate jurisdiction, final-order treatment, and companion court rules.
- UCCJEA and federal recognition compatibility for transition pauses and appeals.
- Appropriations, allocation, staffing, contracts, and qualified service capacity.
- Protected-record access, retention, disclosure, and breach procedures.
- Judicial review of nondiscretionary agency duties without dictated merits or charging outcomes.
- Confirmation of current statutory text, effective dates, and constitutional requirements.

Official authorities

- https://codes.ohio.gov/ohio-revised-code/section-2705.031
- https://codes.ohio.gov/ohio-revised-code/section-3109.051
- https://codes.ohio.gov/ohio-revised-code/section-2919.23

- https://codes.ohio.gov/ohio-revised-code/section-3113.31
- https://codes.ohio.gov/ohio-revised-code/section-3127.18
- https://codes.ohio.gov/ohio-revised-code/section-3127.38
- https://codes.ohio.gov/ohio-revised-code/section-3127.41
- https://codes.ohio.gov/ohio-revised-code/section-3127.44
- https://uscode.house.gov/us/usc/119-138/t28/s1738A/
- https://codes.ohio.gov/ohio-revised-code/section-3127.23
- https://codes.ohio.gov/ohio-revised-code/section-2151.421
- https://www.supremecourt.ohio.gov/courts/advisory/commissions/commission-on-the-rules-of-practice-procedure/constitution/
- https://uscode.house.gov/us/usc/119-138/t42/s1983/
- https://tile.loc.gov/storage-services/service/ll/usrep/usrep502/usrep502009/usrep502009.pdf
- https://www.congress.gov/crs_external_products/R/HTML/R45323.web.html

Statutory and constitutional references supply the legal context for the proposal. Applicable text, effective dates, and court rules should be confirmed before introduction. The Congressional Research Service material is analytical background, not a statute.

Appendix A. Section-by-section implementation responsibilities

Each entry identifies the responsible duty, triggering event, deadline, review mechanism, evidence, and legal constraint.

Section 1. Short title

Duty/owner: Implementing authorities use the statutory short title accurately.

Trigger: Forms, guidance or public descriptions of the Act.

Clock: At adoption or publication.

Backstop: Correct inaccurate guidance through administrative compliance.

Evidence: Actual title, enactment status and authority, not private allegations.

Constraint: Enforcement powers require enactment and applicable legal authority.

Section 2. Legislative findings

Duty/owner: General Assembly states prospective safety, access and systemic concerns.

Trigger: Enactment and policy interpretation.

Clock: At enactment; outcomes reviewed through Section 36.

Backstop: Independent evaluation and legislative oversight.

Evidence: General policy rationale, not adjudication of private events.

Constraint: No causation, guilt, liability or prevention guarantee.

Section 3. Purpose, coverage and definitions

Duty/owner: Courts and agencies identify covered proceedings, risks and institutional roles.

Trigger: Covered request, transition or substantial restriction.

Clock: At intake; Sections 16, 44, 48 and 49 then control.

Backstop: Authorized jurisdictional clarification and correct routing.

Evidence: Clinician-documented needs, specific credible danger and operative authority.

Constraint: Independent protection law and shorter governing clocks remain.

Section 4. Medical safety hold

Duty/owner: Duty judge considers narrow protection; independent clinician reviews risk.

Trigger: Qualified signed statement or credible urgent caregiver report.

Clock: Immediate life-threat response; otherwise four-/24-/48-elapsed-hour schedule.

Backstop: Safe interim placement, alternate judicial coverage and Section 32 review.

Evidence: Clinical records, conflict-screened review, proffers and written transition-safety findings.

Constraint: Lawful jurisdiction; treatment continues; no universal interstate stay.

Section 5. Caregiver certification

Duty/owner: Qualified clinician and coordinator verify actual receiving-care readiness.

Trigger: Covered transition with specialized care needs.

Clock: Before nonemergency transfer; indicated follow-up within 72 elapsed hours and 30 calendar days.

Backstop: Fund training/support or safer interim care and urgent reassessment.

Evidence: Observed competency, teach-back, supplies, backup, transport and provider acceptance.

Constraint: Emergency care does not wait; poverty/disability alone is not unfitness.

Section 6. Treatment substitution

Duty/owner: Caregivers/providers follow current authorized clinical plans.

Trigger: Material care change or credible dangerous deviation.

Clock: Immediate assessment; acute placement review under Section 16.

Backstop: Supplies, retraining, monitoring, safer care and lawful mandatory reporting.

Evidence: Prescriptions, allergies, authorized changes and administration/handoff records.

Constraint: Emergency clinical changes preserved; crime and neglect require independent proof.

Section 7. Hospital discharge

Duty/owner: Clinical leadership assigns coordinator; court/agencies arrange safe alternatives.

Trigger: Credible unsafe contested discharge or new deterioration.

Clock: Readiness before disputed discharge; immediate acute escalation.

Backstop: Clinical leadership, Section 16 review, compliance and regulatory channels.

Evidence: Discharge criteria, readiness, supplies, warnings, responses and timestamps.

Constraint: No unnecessary hospitalization or hospital custody adjudication.

Section 8. Medical information and participation

Duty/owner: Providers promptly inform legally entitled persons and verify participation rights.

Trigger: Hospitalization, critical emergency or major end-of-life decision.

Clock: As soon as clinically practicable; review matched to Section 16 urgency.

Backstop: Internal review, judicial clarification and operative-order remedies.

Evidence: Current authority, protective restrictions, clinical basis and contact attempts.

Constraint: Information is not automatically consent; no treatment delay or protected-location exposure.

Section 9. Catastrophic-event review

Duty/owner: Institutions preserve; conflict-screened multidisciplinary body reviews.

Trigger: Defined catastrophic event within 90 days of contested transition with safety objections; later credible referral allowed.

Clock: Preservation 24 elapsed hours; referral 72; preliminary 30 calendar days; final 90, extension at most 60.

Backstop: Immediate ongoing-risk referrals and competent investigative bodies.

Evidence: Actual warnings, notice, care, readiness and response records.

Constraint: No temporal-causation inference, merits reversal or guilt finding.

Section 10. Coercive control

Duty/owner: Courts/assessors examine documented patterns and material evidence.

Trigger: Relevant coercive-control or post-separation safety information.

Clock: At covered determination; urgent issues use Section 16.

Backstop: Express findings and authorized corrective review.

Evidence: Specific conduct, context, credibility, corroboration and effects.

Constraint: Legitimate litigation, disagreement and safety reporting are not inherently abuse.

Section 11. Risk assessment

Duty/owner: Court ensures trained conflict-screened safety assessment.

Trigger: Contested substantial custody change with credible abuse information.

Clock: Before change; acute action does not await a full report.

Backstop: Written mitigation findings and prompt corrective review.

Evidence: Violence, threats, orders, records, medical needs and exchange risks, with allegations distinguished from findings.

Constraint: Neither accusation nor lack of conviction is conclusive; independent standards govern.

Section 12. Reporting retaliation

Duty/owner: Courts, Units and providers protect good-faith reporting and advocacy.

Trigger: Proposed adverse inference or alleged retaliatory action.

Clock: At decision; urgent effects follow Section 16.

Backstop: Corrective relief, authorized sanctions/fees and confidential routing.

Evidence: Protected act distinguished from independently supported harmful conduct.

Constraint: Good faith need not be substantiated; independently unlawful acts remain actionable.

Section 13. Alienation labels

Duty/owner: Courts require observable conduct and reliable evidence.

Trigger: Proposed unfitness, abuse or deliberate-interference finding.

Clock: Before reliance; prompt applicable correction when unsupported.

Backstop: Expert challenge, individualized findings and review.

Evidence: Conduct, methods, alternative explanations and contrary information, not labels alone.

Constraint: No compelled recantation, blanket therapy waiver, unsafe programming or equal-time presumption.

Section 14. Family relationships

Duty/owner: Court tailors substantial restrictions and attainable restoration conditions.

Trigger: Imposition or continuation of material contact deprivation.

Clock: Sections 16, 47 and 48 hearing/review schedules.

Backstop: Funded alternatives and authorized judicial correction.

Evidence: Individual risk, proportionality, feasible conditions and completion verification.

Constraint: No unilateral private veto or unsafe default contact.

Section 15. Ex parte orders

Duty/owner: Court states necessity; clerk verifies orders and tracks distinct dates.

Trigger: Ex parte substantial custody/contact change or conflicting relief.

Clock: Acute hearing 48 elapsed hours; other substantial restriction seven calendar days; independent procedures preserved.

Backstop: Accommodation, lawful service and authorized review.

Evidence: Signed/entered orders, jurisdiction, danger and separate signing/entry/notice/service/receipt proof.

Constraint: Motion or attorney instruction is not an order; no automatic protection expiry.

Section 16. Timely rulings

Duty/owner: Courts staff duty coverage and single timestamped routing.

Trigger: Earliest sufficient clerk, duty-intake or Unit receipt.

Clock: Immediate life threat; otherwise four-/24-/48-elapsed-hour acute schedule; seven-calendar-day other substantial hearing.

Backstop: Authorized alternate coverage, finite reasoned extension and audit.

Evidence: Original timestamp, notice, interim plan, findings and next due event.

Constraint: No forwarding reset, congestion-only extension, unsafe default or merits presumption.

Section 17. Progression orders

Duty/owner: Court specifies progression terms; Unit assists safe compliance.

Trigger: Ordered movement toward less restrictive contact or reported obstruction.

Clock: Stated dispute deadlines and Section 44 enforcement schedule.

Backstop: Court clarification, safe compensatory contact, fees and lawful contempt.

Evidence: Actual operative entry, completion criteria, verifier and documentation.

Constraint: No private new condition or administrative custody adjudication.

Section 18. Supervision and separation

Duty/owner: Court identifies risk and feasible conditions; agencies provide funded alternatives.

Trigger: Full supervision, completed conditions or service/payment barrier.

Clock: Timely change review and Sections 47/48 periodic schedule.

Backstop: Qualified public/community services, transport and safe interim order.

Evidence: Current risk, provider competence, availability and verified completion.

Constraint: No unsafe substitute or automatic unsupervised contact; system failure alone cannot justify indefinite separation.

Section 19. Records access

Duty/owner: Schools/providers/agencies verify authority and designate access contacts.

Trigger: Lawful request or urgent need for safety records.

Clock: Prompt urgent routing and written denial/review route.

Backstop: Judicial clarification, corrective disclosure and regulatory remedies.

Evidence: Actual entitlement, operative order, confidentiality rule and denial reason.

Constraint: FERPA/HIPAA, privileges, child rights and protected locations remain.

Section 20. Recording

Duty/owner: Court/clerk record hearings and preserve official materials.

Trigger: Substantive contested covered hearing or record request.

Clock: At hearing; prompt protected access; immediate provisional emergency use.

Backstop: Notice of failure, lawful reconstruction, audits and authorized appeal relief.

Evidence: Recordings, exhibits, proffers, service/docket timestamps and access logs.

Constraint: No prepaid-transcript gate, automatic void order or indiscriminate juvenile publication.

Section 21. GAL oversight

Duty/owner: GAL discloses conflicts and sources; independent intake routes complaints.

Trigger: Appointment, recommendation, credible danger or complaint.

Clock: Timely disclosures; urgent routing immediately; intake acknowledgment two business days.

Backstop: Challenge, competent roster/discipline channels and administrative audit.

Evidence: Observation versus report/inference, limitations and contrary information.

Constraint: Supreme Court authority preserved; complaint alone is not guilt.

Section 22. Therapists and evaluators

Duty/owner: Professionals disclose roles, relationships, sources and limits.

Trigger: Court-involved treatment/evaluation, disputed narrative or complaint.

Clock: Disclose before material reliance; acknowledge two business days; refer five unless urgent.

Backstop: Evidentiary correction, authorized replacement, independent intake and licensing review.

Evidence: Credentials, methods, facts, assumptions and contrary information.

Constraint: Privileges and clinical interests protected; no recantation or unsafe reunification.

Section 23. Litigation abuse

Duty/owner: Court identifies established bad-faith acts and proportionate responses.

Trigger: Evidence of harassment, exhaustion, concealment or intentional interference.

Clock: After notice and hearing; emergency access remains open.

Backstop: Authorized sanctions, fees, tailored filing management and referrals.

Evidence: Specific act, culpability, authority and resulting burden.

Constraint: Unsuccessful motions, complaint volume or good-faith reports alone are insufficient.

Section 24. Recusal

Duty/owner: Judge discloses; authorized mechanisms determine disqualification.

Trigger: Material conflict or uncovered acute request.

Clock: Applicable ethics process; immediate alternate coverage for acute gap.

Backstop: Lawful reassignment and competent referral; original clock preserved.

Evidence: Actual interests/relationships, request and routing records.

Constraint: Office cannot order recusal, discipline or merits reversal; adverse rulings alone prove no bias.

Section 25. Accountability Office

Duty/owner: Independent Office audits enacted administrative duties and systemic patterns.

Trigger: Documented safety, notice, access, conflict, record or deadline failure.

Clock: Acknowledge two business days; plan ten; findings ordinarily 60 calendar days; updates and corrective plans 30.

Backstop: Independent routing, response rights, agency corrective plans and free review.

Evidence: Repeated documented failures in context, not adverse rulings or complaint counts alone.

Constraint: Express limited access/subpoena authority; no judicial reversal or discipline.

Section 26. Serious misconduct referrals

Duty/owner: Act intake preserves and routes credible evidence to competent bodies.

Trigger: Intentional falsification, unlawful destruction, obstruction, disclosure or knowing duty breach.

Clock: At-risk preservation 24 elapsed hours; urgent referral immediate, others five business days; receipt follow-up ten.

Backstop: Evidence holds, acknowledgment tracking, administrative correction and aggregate reporting.

Evidence: Original format, source, date and access history.

Constraint: Referral is not guilt or command over investigation, charges, discipline or merits.

Section 27. Interstate certification

Duty/owner: Enforcing court verifies authority and medical continuity.

Trigger: Covered interstate transition or qualifying emergency.

Clock: Before transition; prompt authorized interstate communication; shorter governing hearings control.

Backstop: Lawful temporary emergency action or urgent application to competent tribunal.

Evidence: Operative determination, jurisdiction, notice, transport, providers and supplies.

Constraint: UCCJEA and federal recognition law; no unauthorized retrial or universal stay.

Section 28. Parallel proceedings

Duty/owner: Parties disclose securely; courts identify authority and controlling orders.

Trigger: Related proceedings or proposed inconsistent relief.

Clock: Before conflicting action; prompt clarification of conflict.

Backstop: Court coordination, lawful correction and sanctions for knowing material concealment.

Evidence: Actual orders, modification power, communications and separate notice/service dates.

Constraint: Protected identifiers and distinct jurisdiction preserved; legitimate parallel filing is not abuse.

Section 29. Warrants and removal

Duty/owner: Court establishes predicates; police verify execution authority and medical plan.

Trigger: Coercive custody process involving physical removal.

Clock: Before execution where feasible; governing prompt post-execution review.

Backstop: Supervisor, immediate clinical/judicial escalation and preserved execution records.

Evidence: Warrant/capias authority, necessity, placement, alternatives and service.

Constraint: Unit notice is not a warrant; genuine lawful exigencies remain.

Section 30. Emergency care

Duty/owner: All implementers avoid knowing obstruction; providers continue treatment.

Trigger: Medical emergency during custody enforcement.

Clock: Immediate clinical escalation and Section 16 review.

Backstop: Corrective access, transport, care and accommodation orders; lawful referrals.

Evidence: Clinical circumstances, actual notice and feasible safe communication.

Constraint: Emergency attendance alone is not defiance; unrelated unlawful conduct is not immunized.

Section 31. Safety petition

Duty/owner: Accessible intake assists eligible parents, representatives and clinicians.

Trigger: Sufficient emergency safety information or clinical certification.

Clock: Immediate timestamp and Section 16 routing, including after hours.

Backstop: Funded clinical help, nondigital intake, accommodations and Section 32 review.

Evidence: Lawful reused records and statements, open to response/reliability challenge.

Constraint: No private purchase prerequisite; petition is not proof.

Section 32. Denial review

Duty/owner: Court explains denial; authorized reviewer considers acute protection.

Trigger: Denial/material limitation and receipt of review request.

Clock: Interim review 24 elapsed hours; merits schedule 72; life threat immediate.

Backstop: Alternate authorized coverage, finite extensions and safe interim terms.

Evidence: Findings and available provisional records without prepaid transcript.

Constraint: Express jurisdiction/rules and interstate coordination required; no universal stay or federal guarantee.

Section 33. Remedies

Duty/owner: Courts/agencies select a legally distinct compliance or remedial process.

Trigger: Established administrative, order, rights or independent offense violation.

Clock: Stated corrective date; coercion only after required notice/hearing.

Backstop: Authorized injunctions, fees, safe compensatory contact and applicable review.

Evidence: Clear order, service, present ability, feasible purge and required proof.

Constraint: No automatic judicial damages, immunity repeal, impossible coercion or undefined crime.

Section 34. Witness retaliation

Duty/owner: Agency protects safe reporting outside implicated chain.

Trigger: Threat, intimidation, evidence suppression or unlawful retaliation.

Clock: Immediate danger screening; other acknowledgment two business days.

Backstop: Evidence preservation, competent reviewer, protection and authorized referrals.

Evidence: Protected act, alleged retaliation, supporting facts and lawful authority.

Constraint: Confidentiality subject to required disclosure; adverse decision alone is not retaliation.

Section 35. Funding and representation

Duty/owner: Legislature funds; state/county agencies provide accessible services.

Trigger: Enactment, qualifying assistance need or required counsel.

Clock: Appropriations with duties; urgent access continues during eligibility review; annual audit.

Backstop: State grants, qualified alternatives and rural/after-hours backup.

Evidence: Fiscal note, actual costs, unmet need and expenditure/outcome records.

Constraint: Appropriations require a fiscal note; public counsel is not automatically personal counsel.

Section 36. Implementation

Duty/owner: Funded state administrator, counties and Office implement coordinated services.

Trigger: Enactment and express commencement milestones.

Clock: Days 90/180/270; quarterly readiness; first-year/annual reports; three-year evaluation.

Backstop: Funded interim review and state backup for unready counties.

Evidence: Staffing, funding, gaps, rule dependencies and de-identified outcomes.

Constraint: Prospective application, privacy and nonseverable safety prerequisites.

Section 37. Mental-health evidence

Duty/owner: Court identifies functional relevance and supports rather than labels.

Trigger: Proposed reliance on trauma, diagnosis, treatment or counseling.

Clock: Before reliance; prompt applicable correction when unsupported.

Backstop: Narrow lawful disclosure, expert challenge and judicial review.

Evidence: Reliable actual effects on care or safety and alternative supports.

Constraint: No blanket releases, compelled recantation or unsafe programming; diagnosis proves neither abuse nor falsity.

Section 38. New evidence

Duty/owner: Court distinguishes new material danger from repetitive resolved issues.

Trigger: New deterioration, circumstance or previously unavailable material evidence.

Clock: Acute Section 16; other scheduling/disposition seven calendar days.

Backstop: Reasoned entry and authorized correction, with secure evidence reuse.

Evidence: What is new, material and previously unavailable.

Constraint: Finality, jurisdiction and response rights preserved; acute route remains open.

Section 39. Financial coercion

Duty/owner: Court addresses proven bad-faith financial exhaustion and access barriers.

Trigger: Abusive costs, duplication, obstructed evidence or assistance request.

Clock: Urgent access continues while financial eligibility is resolved.

Backstop: Waivers, assistance, reusable evidence and authorized proportionate sanctions.

Evidence: Actual ability, specific bad faith, costs, culpability and amount.

Constraint: Disparity alone is not misconduct; no unlimited reimbursement.

Section 40. Prolonged separation

Duty/owner: Court reviews; funded conflict-free assessor assists where needed.

Trigger: Continuing substantial restriction, completion or changed evidence.

Clock: By day 30, then intervals no longer than 60 calendar days.

Backstop: Authorized judge corrects missed review; Office audits process.

Evidence: Current risk, original grounds, completed conditions, barriers and child's safely obtained views.

Constraint: No coaching or compelled confrontation; relationship harm does not override danger.

Section 41. Impact statements

Duty/owner: Court states individualized competing-risk and implementation findings.

Trigger: Substantial care change or contact restriction.

Clock: With order; emergency reasons completed at prompt adversarial hearing.

Backstop: Correction, remand or authorized review preserving interim safety.

Evidence: Material facts, allegations versus findings, authority, notice and alternatives.

Constraint: Protected references rather than public confidential records; no damages presumption.

Section 42. Public enforcement

Duty/owner: Unit owns safe enforcement without a new private suit.

Trigger: First documented report involving a valid covered order.

Clock: Original intake starts Section 44.

Backstop: Public counsel clarification, state backup and authorized court remedies.

Evidence: Actual controlling orders, modifications, protection, jurisdiction, service and notice.

Constraint: Safety first; notice is not warrant; no administrative custody adjudication.

Section 43. Enforcement Unit

Duty/owner: One county Unit provides named ownership and accessible intake.

Trigger: Covered report or county conflict/capacity gap.

Clock: Section 44 response; continuous after-hours and state backup.

Backstop: Outside-chain complaints, public service/filing resources and independent audit.

Evidence: Case number, owner, retrieved orders, safe contact and status logs.

Constraint: No fees, private pleading, abusive negotiation, warrants or merits powers.

Section 44. Response and escalation

Duty/owner: Unit verifies/screens; public counsel seeks contested relief; supervisor follows through.

Trigger: Earliest report of denied contact or danger.

Clock: Four elapsed hours active exchange; one/two business days acknowledgment/verification; five counsel referral; seek hearing within 14 calendar days; supervisor ten business days.

Backstop: Missed-duty review and state backup.

Evidence: Original receipt, orders, safety, outreach, referrals and delay logs.

Constraint: Lawful service and shortest justified extension; no administrative coercion.

Section 45. Survivor-safe protocol

Duty/owner: Unit screens and offers confidential, separate, remote and advocated participation.

Trigger: Intake and every proposed enforcement remedy.

Clock: Immediate judicial routing for credible imminent harm under Section 16.

Backstop: Free confidential complaint and state backup; safe interim judicial direction.

Evidence: Specific credible risk, existing lawful records and protected access logs.

Constraint: No forced delivery into danger or indefinite unsupported suspension.

Section 46. Public counsel and referrals

Duty/owner: Expressly authorized public counsel initiates appropriate civil proceedings.

Trigger: Verified Unit referral; offense evidence separately routed.

Clock: Section 44 counsel and hearing schedule; urgent danger immediately.

Backstop: Required counsel/defenses, free review and compulsion of nondiscretionary duties where lawful.

Evidence: Verified order/service facts and separate offense elements.

Constraint: Prosecutorial discretion and judicial decision-making remain independent.

Section 47. Heightened continuation burden

Duty/owner: Court applies proposed clear-and-convincing continuation standard in defined cases.

Trigger: Nonacute continuation of a substantial restriction under this Act.

Clock: Section 48 reviews.

Backstop: Individual findings, safe modification and authorized review.

Evidence: Present risk, necessity, narrow tailoring and inadequate safer alternatives.

Constraint: Independent protection, child-protection, emergency and other governing standards preserved.

Section 48. Temporary restriction review

Duty/owner: Court issues fresh reasons; clerk obtains alternate coverage when overdue.

Trigger: Restriction issuance and continued deprivation.

Clock: Acute 48 elapsed hours; other hearing seven calendar days; day 30 determination; later intervals no longer than 60 days.

Backstop: Authorized safe corrective order and monitor notice.

Evidence: Current risk, burden, completion, barriers and less restrictive safe arrangements.

Constraint: No automatic independent-protection expiration or administrative delivery.

Section 49. Resolution deadlines

Duty/owner: Court schedules, hears and rules; monitor tracks delay.

Trigger: Nonacute modification filing or evidentiary closure.

Clock: Management 30; hearing 90; final 180 calendar days; reserved ruling 30, earlier applicable clock controls.

Backstop: Exceptional written extension and automatic Section 53 referral.

Evidence: Filing/closure dates, specific necessity, notice, interim measures and backup analysis.

Constraint: No congestion-only delay, artificial reopening or merits default.

Section 50. Automatic public processing

Duty/owner: Same Unit begins verification, screening and follow-through.

Trigger: First documented possible noncompliance report.

Clock: Section 44 from original receipt.

Backstop: Public counsel, state backup and free review before repeated harm.

Evidence: Controlling orders, service, modification and risk information.

Constraint: Automatic intake is not automatic truth, sanction or unsafe execution.

Section 51. Repeated intentional violations

Duty/owner: Court determines distinct violations; counsel seeks graduated response.

Trigger: Judicially established intentional breach without lawful justification.

Clock: After each adjudicated violation with notice and hearing.

Backstop: First compliance/restoration; second enforcement review; third enhanced lawful judicial review.

Evidence: Clear order, notice, act, intent, defenses and ability to comply.

Constraint: No automatic arrest, custody transfer or rights termination; safety and contempt safeguards remain.

Section 52. Safe restoration

Duty/owner: Court promptly modifies/restores; Unit implements clear terms.

Trigger: Applicable burden no longer supports restriction.

Clock: Prompt decision without new paid case; new restriction uses Sections 16/48.

Backstop: Funded safe transition support and compliance tracking.

Evidence: Judicial burden determination plus new risk and independent orders.

Constraint: No forced recantation, location exposure, treatment interruption or administrative automatic transfer.

Section 53. Delay intervention

Duty/owner: Clerk/Unit refers automatically; administration obtains authorized coverage.

Trigger: Missed Sections 16, 44, 48 or 49 duty.

Clock: Immediate referral without new motion or fee.

Backstop: State Unit/counsel backup, lawful judicial assignment and administrative correction.

Evidence: Original timestamps, unresolved issues, service/record barriers, risks and named corrective owner.

Constraint: Office cannot decide merits; compulsion requires legal predicates.

Section 54. Case ownership and closure

Duty/owner: Unit maintains one owner through lawful resolution and follow-through.

Trigger: Continuing potential noncompliance, closure or review request.

Clock: Status at least every ten business days; review request ordinarily 30 calendar days; decision ten business days; acute risk immediate.

Backstop: Free independent supervisor, exceptions for good cause/new evidence and state backup.

Evidence: Verified compliance, lawful modification, confirmed handoff or reasoned legal closure.

Constraint: Criminal declination/unpaid fee alone cannot close; no repeated private case or unsafe coercion.