



Ohio Revised Code

Section 3109.47 Custody or visitation granted to surviving parent.

Effective: October 20, 1999

Legislation: House Bill 191 - 123rd General Assembly

(A) A court may do one of the following with respect to a parent convicted of killing the other parent of a child if the court determines, by clear and convincing evidence, that it is in the best interest of the child and the child consents:

- (1) Issue a custody order designating the parent as the residential parent and legal custodian of the child or granting custody of the child to that parent;
- (2) Issue a visitation order granting that parent visitation rights with the child.

(B) When considering the ability of a child to consent and the validity of a child's consent under this section, the court shall consider the wishes of the child, as expressed directly by the child or through the child's guardian ad litem, with due regard for the maturity of the child.
