

# Ohio Supreme Court Decision in Clermont Case Could Have Statewide Impact

## Immediate Release

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**Batavia, Ohio.** The Ohio Supreme Court has issued its decision in the *Byrd v. Knuckles* case in a ruling that could impact child support cases statewide. In mid-December, the high court sided with the father in the case involving parents who requested that Clermont County Juvenile Court allow them to waive \$7,420 in child support owed to the mother, due to the adoption of the parties' minor child by the mother's current husband.

The Supreme Court reversed the Twelfth District Court of Appeals decision, finding that Ohio Revised Code section 3119.83, which prevents the retroactive modification of child support arrears, did not preclude parents from compromising child support arrears owed when the parties were in agreement with no situation involving duress or fraud. The Court found that child support arrears become a judgment and can, therefore, be compromised as any other judgment under law can be compromised.

The decision by the Court impacts child support cases statewide and allows parents to make the decision to waive child support arrears, under allowable circumstances. Previously, parents who had agreed to waive child support balances may not have been permitted to do so.

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