

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT, LAKE COUNTY

In re T.T.

2026-Ohio-710 · No. 2025-L-103, 2025-L-104 · Decided March 2, 2026

SUMMARY

The Ohio Eleventh District Court of Appeals affirmed judgments terminating the mother's parental rights and granting permanent custody of two dependent children to the Lake County Department of Job and Family Services. The court rejected challenges based on sufficiency and manifest weight of the evidence, denial of a continuance, and the trial court's inquiry obligations under the Indian Child Welfare Act.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Lake County
WRITING FOR THE COURT	Matt Lynch, Presiding Judge; John J. Eklund, Judge; Robert J. Patton, Judge
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Lake County
DECIDED	March 2, 2026
DOCKET	2025-L-103, 2025-L-104
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed judgments terminating her parental rights and granting permanent custody of V.T. and T.T. to the Lake County Department of Job and Family Services.
STANDARD OF REVIEW	Permanent-custody challenges are reviewed under the sufficiency-of-the-evidence or manifest-weight-of-the-evidence standards, as appropriate. A continuance is reviewed for abuse of discretion. An unpreserved ICWA-inquiry issue is reviewed for plain error.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	E.T. v. Lake County Department of Job and Family Services

TOPICS

- termination of parental rights
- indian child welfare act
- standard of review
- appellate procedure
- family law procedure

PRACTICE AREAS

family law

juvenile law

child welfare

appellate practice

Indian Child Welfare Act

QUESTIONS PRESENTED

1. Whether the juvenile court committed plain error by failing to conduct or document an inquiry into whether the children had Indian or Native American ancestry under the Indian Child Welfare Act.
2. Whether the permanent-custody judgments were unsupported by sufficient evidence or against the manifest weight of the evidence.
3. Whether the juvenile court abused its discretion by failing to grant a continuance of the permanent-custody hearing after Mother left during the hearing.

HOLDINGS

1. Mother failed to establish plain error from the alleged lack of an ICWA inquiry because the record indicated that an inquiry had occurred, the missing hearing transcripts required the court to presume the inquiry was conducted at an earlier hearing, and Mother identified no evidence that either child was an Indian child under the ICWA.
2. The evidence was legally sufficient to support the grants of permanent custody and the judgments were not against the manifest weight of the evidence.
3. The trial court did not abuse its discretion by denying a continuance because Mother never requested one, failed to show prejudice, and did not proffer evidence or testimony that would likely have changed the outcome.

KEY QUOTATIONS

“The permanent termination of parental rights has been described as the family law equivalent of the death penalty in a criminal case.” (¶ 29)

“Sufficiency of the evidence and manifest weight of the evidence are distinct concepts and are “both quantitatively and qualitatively different.”” (¶ 30)

“Denials of continuances have been repeatedly affirmed in permanent custody hearings where there is no showing that a grant of the continuance likely would have changed the outcome of the case.” (¶ 40)

FACTUAL BACKGROUND

V.T. and T.T. were born prematurely with serious medical and developmental needs, and both were placed in foster care after the Lake County Department of Job and Family Services became concerned about Mother's mental health, substance-use history, housing instability, and ability to understand and meet the children's needs. Mother made some progress on counseling and parenting services but did not obtain stable housing, did not consistently participate in visitation until shortly before the permanent-custody hearing, and did not demonstrate an ability to provide a safe, permanent home. The children were bonded with their foster placements and required continuing specialized care.

PROCEDURAL HISTORY

The Lake County Court of Common Pleas, Juvenile Division, adjudicated V.T. abused and dependent and T.T. dependent, placed both children in the temporary custody of the Lake County Department of Job and Family Services, and later granted the agency permanent custody of both children while divesting Mother of her parental rights. Mother timely appealed, arguing lack of an Indian Child Welfare Act inquiry, manifest-weight and sufficiency errors, and denial of a continuance. The Eleventh District affirmed both judgments.

DISPOSITION

affirmed

CASES CITED

- In re T.B., 2008-Ohio-4415, ¶ 29 (11th Dist.)
- In re Phillips, 2005-Ohio-3774, ¶ 22 (11th Dist.)
- In re Hayes, 79 Ohio St.3d 46, 48-49 (1997)
- In re Z.C., 2023-Ohio-4703, ¶¶ 11, 13-14
- Eastley v. Volkman, 2012-Ohio-2179, ¶¶ 10, 12, 20-21
- State v. Thompkins, 78 Ohio St.3d 380, 386-387 (1997)
- Bryan-Wollman v. Domonko, 2007-Ohio-4918, ¶ 3
- Seasons Coal Co., Inc. v. Cleveland, 10 Ohio St.3d 77, 80 (1984)
- State v. Awan, 22 Ohio St.3d 120, 123 (1986)
- In re M.A.S., 2019-Ohio-5190, ¶ 15 (11th Dist.)
- State v. Unger, 67 Ohio St.2d 65 (1981)
- State ex rel. Buck v. McCabe, 140 Ohio St. 535, 538 (1942)
- In re B.M.B., 2024-Ohio-1214, ¶ 16 (11th Dist.)
- In re K.S.W., 2023-Ohio-3763, ¶¶ 36, 41 (11th Dist.)
- In re L.T., 2025-Ohio-1719, ¶¶ 15-17 (5th Dist.)
- In re J.H., 2025-Ohio-811, ¶ 15 (11th Dist.)
- In re L.R.D., 2019-Ohio-178, ¶¶ 20-21 (8th Dist.)
- In re K.Y., 2025-Ohio-1117, ¶ 35 (5th Dist.)
- In re L.B., 2025-Ohio-2269, ¶¶ 46-48 (5th Dist.)
- In re L.W., 2025-Ohio-2236, ¶ 46 (10th Dist.)
- In re B.M., 2025-Ohio-1786, ¶¶ 43-44 (5th Dist.)