

COURT OF APPEALS OF OHIO, THIRD APPELLATE DISTRICT

In re A.C.

2026-Ohio-1926 · No. 4-25-17 · Decided May 26, 2026

SUMMARY

The Ohio Third District Court of Appeals affirmed the Defiance County Juvenile Division’s judgment granting permanent custody of A.C. to the Defiance/Paulding Consolidated Job and Family Services Department. The court held that clear and convincing evidence supported the statutory grounds for permanent custody, including the mother’s abandonment of the child and the parents’ inability to provide a suitable home within a reasonable time. The court also addressed the parents’ challenges to the permanent-custody and best-interest determinations.

CASE DETAILS

COURT	Court of Appeals of Ohio, Third Appellate District
WRITING FOR THE COURT	Juergen A. Waldick; Mark C. Miller; John R. Willamowski
JURISDICTION	Ohio Court of Appeals, Third Appellate District
DECIDED	May 26, 2026
DOCKET	4-25-17
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother and Father appealed the juvenile court's judgment granting permanent custody of A.C. to the agency and terminating their parental rights. Father also appealed the child-support ruling, arguing that the child's potential Social Security Disability benefits should offset his support obligation.
STANDARD OF REVIEW	A juvenile court's permanent-custody decision is reviewed under sufficiency-of-the-evidence and/or manifest-weight-of-the-evidence standards, depending on the argument presented. Under manifest-weight review, the appellate court weighs the evidence and reasonable inferences, considers witness credibility, and determines whether the factfinder clearly lost its way and created a manifest miscarriage of justice.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	S.C., Mother, D.S., Father v. Defiance/Paulding Consolidated Job and Family Services Department

TOPICS

termination of parental rights child custody family law procedure appellate procedure standard of review

PRACTICE AREAS

family law juvenile law child welfare parental rights child support

QUESTIONS PRESENTED

1. Whether the juvenile court's findings under R.C. 2151.414(B)(1), including that A.C. could not or should not be placed with either parent within a reasonable time and that Mother had abandoned A.C., were against the manifest weight of the evidence.
2. Whether granting permanent custody of A.C. to DCJFS was in A.C.'s best interest under R.C. 2151.414(D)(1).
3. Whether the Interstate Compact for the Placement of Children was unnecessary under R.C. 5103.20(B)(5) because Father was a noncustodial parent.
4. Whether Father's child-support obligation should have been offset or eliminated based on Social Security Disability benefits allegedly available to A.C.

HOLDINGS

1. Mother abandoned A.C. because she failed to visit or maintain contact with the child for more than ninety days, even though she later resumed contact.
2. The evidence supported the juvenile court's finding that A.C. could not and should not be placed with either parent within a reasonable time.
3. The juvenile court's determination that permanent custody to DCJFS was in A.C.'s best interest was supported by the evidence and was not against the manifest weight of the evidence.
4. Father was not entitled to an appellate offset because the record did not establish that A.C. had actually received Social Security Disability benefits.
5. Permanent-custody judgments are reviewed under sufficiency-of-the-evidence and/or manifest-weight-of-the-evidence standards, as appropriate to the arguments presented.

KEY QUOTATIONS

"Thus we do not find that the trial court erred by finding that Mother met the statutory definition for abandoning A.C. during this case." (¶ 42)

"In sum, given all of the evidence presented in the record, we do not find that the trial court erred by determining that A.C. cannot and should not be placed with Father within a reasonable time." (¶ 58)

"Therefore, Mother's assignment of error and Father's first assignment of error are overruled." (¶ 67)

"Here, the record does not establish that any money has been actually "received" by the minor child, so Williams does not compel a different result here." (¶ 70)

FACTUAL BACKGROUND

A.C. was born to Mother and Father in September 2024 after a prolonged and volatile relationship in which Mother, who was a minor when the relationship began, reported physical, emotional, and sexual abuse and repeatedly moved between shelters, temporary housing, and residences with Father. After Mother threatened to kill herself and A.C. in January 2025, the agency obtained temporary custody, and A.C. was placed with a foster family. The parents did not establish a stable, approved home through the required ICPC process, Mother missed more than ninety days of visitation, and evidence indicated that Father was hostile during visits, failed to respond appropriately to A.C.'s cues, and did not demonstrate a bond with the child.

PROCEDURAL HISTORY

The juvenile court adjudicated A.C. dependent, placed her in the agency's temporary custody, and later granted the agency permanent custody after a final hearing. The juvenile court found that A.C. could not or should not be placed with either parent within a reasonable time, that Mother had abandoned A.C., and that permanent custody was in A.C.'s best interest. The Court of Appeals affirmed, overruling all assignments of error, and remanded only for execution of the judgment for appellate costs.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The cause was remanded only for execution of the judgment for appellate costs and issuance of the mandate under App.R. 27 and service under App.R. 30.

CASES CITED

- In re M.J., 2013-Ohio-5440, ¶ 24 (8th Dist.)
- In re Z.C., 2023-Ohio-4703, ¶¶ 14, 18
- Eastley v. Volkman, 2012-Ohio-2179, ¶ 20
- In re C.F., 2007-Ohio-1104, ¶ 22
- In re X.M.W., 2020-Ohio-449, ¶ 11 (1st Dist.)
- In re L.F., 2025-Ohio-3026, ¶ 32 fn. 3 (3d Dist.)
- In re M.P., 2015-Ohio-2226 (9th Dist.)
- In re B.M., 2023-Ohio-4088, ¶ 25 (3d Dist.)
- Davis v. Flickinger, 77 Ohio St. 3d 415, 419 (1997)
- Williams v. Williams, 88 Ohio St. 3d 441, 444 (2000)