

OHIO COURT OF APPEALS, SIXTH APPELLATE DISTRICT

In re R.M., R.H.

2026-Ohio-1591 (6th Dist.) · No. H-25-021; H-25-022 · Decided May 1, 2026

SUMMARY

The Ohio Sixth District Court of Appeals affirmed judgments involving the removal of two children from their mother’s care, adjudication of the children as dependent, and supervised visitation. The court held that the trial court had sufficient grounds and information to issue the shelter-care orders and that the mother’s failure to seek a shelter-care rehearing limited her challenge. The appeal also addressed whether the dependency adjudication and dispositional order were supported by the evidence.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Ohio Court of Appeals, Sixth Appellate District                                                                                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Myron C. Duhart, J.; Thomas J. Osowik, P.J.; Christine E. Mayle, J.                                                                                                                                                                                                                                                                                  |
| JURISDICTION          | Ohio Court of Appeals, Sixth Appellate District                                                                                                                                                                                                                                                                                                      |
| DECIDED               | May 1, 2026                                                                                                                                                                                                                                                                                                                                          |
| DOCKET                | H-25-021; H-25-022                                                                                                                                                                                                                                                                                                                                   |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Consolidated appeal from four judgments of the Huron County Court of Common Pleas, Juvenile Division, involving shelter care, dependency adjudication, disposition, and findings of fact and conclusions of law.                                                                                                                                     |
| STANDARD OF REVIEW    | Shelter-care and dependency issues were reviewed under the applicable statutory standards, including clear-and-convincing-evidence and manifest-weight review. The dispositional custody and visitation orders were reviewed for abuse of discretion; an abuse of discretion occurs when the decision is unreasonable, arbitrary, or unconscionable. |
| PRECEDENTIAL VALUE    | published                                                                                                                                                                                                                                                                                                                                            |
| PARTIES               | H.M., mother v. Huron County Department of Jobs and Family Services                                                                                                                                                                                                                                                                                  |

TOPICS

family law procedure

appellate procedure

child custody

evidence

standard of review

## PRACTICE AREAS

juvenile dependency

child welfare

family law

appellate procedure

evidence

## QUESTIONS PRESENTED

1. Whether the juvenile court properly removed the children from mother's care and placed them in shelter care under R.C. 2151.31 and R.C. 2151.314.
2. Whether clear and convincing evidence supported adjudicating the children dependent under R.C. 2151.04(C), and whether that adjudication was against the manifest weight of the evidence.
3. Whether the juvenile court abused its discretion by continuing temporary custody placements and restricting mother's visitation to supervised contact.

## HOLDINGS

1. The juvenile court did not err in removing the children from mother's care after the shelter-care hearing. The agency's complaints, investigation, mother's overdose and hospitalization while the children were in the house, and mother's refusal to cooperate supplied evidence of an emergency, reasonable grounds for removal, and reasonable efforts to assess and assist the family.
2. The agency proved by clear and convincing evidence that the children's condition or environment warranted state intervention under R.C. 2151.04(C). The adjudication was supported by competent, credible evidence and was not against the manifest weight of the evidence.
3. The juvenile court did not abuse its discretion by continuing mother's supervised visitation and the children's temporary custody placements. The restriction was supported by the children's best interests and the risk associated with mother's suspected overdose, refusal to acknowledge substance-use concerns, and the circumstances in which the children were present.

## KEY QUOTATIONS

*"A temporary shelter care hearing simply is not an adjudication . . . A shelter care decree is in no sense dispositive; it is interlocutory in nature, limited in scope and purpose, and temporary in duration." (§ 45)*

*"Having a parent unconscious with suspected drugs and drug paraphernalia nearby while children are in the home, coupled with the parent's failure to acknowledge or address substance use issues, creates an inappropriate environment for children." (§ 77)*

## FACTUAL BACKGROUND

On May 1, 2024, mother was in a house with her two children when she and another woman were found unconscious in a locked basement utility room near a green straw and a white powdery substance. Emergency personnel administered Narcan, the women were hospitalized, and the children remained in the house with a teenage babysitter. Mother later denied drug use or having a substance-use problem and declined agency

assistance without counsel. The juvenile court placed the children with relatives, adjudicated them dependent, and limited mother's visitation to supervised contact.

## PROCEDURAL HISTORY

The agency filed dependency complaints after mother and another adult were found unconscious in a basement while mother's children were in the house. The juvenile court placed the children in temporary custody, adjudicated them dependent, continued the placements, and restricted mother's visitation to supervised contact. On a prior appeal, the Sixth District remanded for findings of fact and conclusions of law; after the juvenile court issued those findings, mother appealed again. The appellate court affirmed all four judgments.

## DISPOSITION

affirmed

## CASES CITED

- In re R.M., 2025-Ohio-2909 (6th Dist.)
- In re Careuthers, 2001 WL 458681, \*2-3 (9th Dist. May 2, 2001)
- In re Griffin, 1983 WL 3898, \*1 (9th Dist. Nov. 2, 1983)
- In re Moloney, 24 Ohio St.3d 22, 25 (1986)
- Linger v. Weiss, 57 Ohio St.2d 97, 101 (1979)
- In re Cunningham, 59 Ohio St.2d 100, 105-06 (1979)
- Cross v. Ledford, 161 Ohio St. 469, paragraph three of the syllabus (1954)
- In re Z.C., 2023-Ohio-4703, ¶¶ 8, 13-14
- State v. Schiebel, 55 Ohio St.3d 71, 74 (1990)
- Ford v. Osborne, 45 Ohio St. 1, paragraph two of the syllabus (1887)
- State v. Thompkins, 78 Ohio St.3d 380, 386 (1997)
- Eastley v. Volkman, 2012-Ohio-2179, ¶ 20
- C.E. Morris Co. v. Foley Constr. Co., 54 Ohio St.2d 279, syllabus (1978)
- State v. Wilson, 2007-Ohio-2202, ¶ 24
- In re B.K., 2010-Ohio-3329, ¶ 33 (6th Dist.)
- In re Burrell, 58 Ohio St.2d 37, 39 (1979)
- In re A.C., 2010-Ohio-4933, ¶ 75 (6th Dist.)
- In re Burchfield, 51 Ohio App.3d 148, 156 (4th Dist. 1988)
- In re N.J., 2017-Ohio-7466, ¶¶ 20, 23 (12th Dist.)
- In re A.V., 2021-Ohio-3873, ¶¶ 2-3, 11-14, 30-31 (12th Dist.)
- In re C.T., 2018-Ohio-3823, ¶ 60 (6th Dist.)
- In re T.J., 2010-Ohio-4191, ¶ 14 (10th Dist.)
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)

- AAAA Ents., Inc. v. River Place Community Urban Redevelopment Corp., 50 Ohio St.3d 157, 161 (1990)
- Anderson v. Anderson, 2002-Ohio-1156, ¶ 18 (7th Dist.)
- Jannetti v. Nichol, 2000 WL 652540, \*3 (7th Dist. May 12, 2000)
- Matter of Knisley, 1998 WL 372703, \*2 (4th Dist. May 26, 1998)
- In re C.H., 2011-Ohio-1386, ¶¶ 12-13 (10th Dist.)

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