

COURT OF APPEALS OF OHIO, SIXTH APPELLATE DISTRICT, HURON COUNTY

In re Ha.S., Hy.S.

In re Ha.S., 2025-Ohio-5735 · No. H-25-001, H-25-002 · Decided December 23, 2025

SUMMARY

The Ohio Sixth District Court of Appeals affirmed the adjudication of two minor children as dependent under Ohio Revised Code 2151.04(C). The court held that competent, credible evidence showed a legitimate risk of harm arising from the father's expressed sexual interest in minors and the resulting threats, exposure, bullying, and assault affecting the family, even absent evidence of physical harm to the children.

CASE DETAILS

COURT	Court of Appeals of Ohio, Sixth Appellate District, Huron County
WRITING FOR THE COURT	Gene A. Zmuda; Thomas J. Osowik; Charles E. Sulek
JURISDICTION	Ohio Court of Appeals, Sixth Appellate District, Huron County
DECIDED	December 23, 2025
DOCKET	H-25-001, H-25-002
DISPOSITION	affirmed
PROCEDURAL POSTURE	Father appealed the Huron County Court of Common Pleas, Juvenile Division's adjudication of his minor children as dependent children. He argued that the dependency finding was against the manifest weight of the evidence and unsupported by clear and convincing evidence.
STANDARD OF REVIEW	A dependency adjudication must be supported by clear and convincing evidence. On a manifest-weight challenge, the appellate court considers whether competent and credible evidence supports the trial court's findings of fact and conclusions of law and will not reverse when such evidence exists.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals decision
PARTIES	Father v. Huron County Department of Job and Family Services

TOPICS

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QUESTIONS PRESENTED

1. Whether the juvenile court's adjudication of Ha.S. and Hy.S. as dependent children was against the manifest weight of the evidence and unsupported by clear and convincing evidence.
2. Whether the appellate court could review Father's arguments concerning the later dispositional order when his sole assignment of error challenged only the dependency adjudication.

HOLDINGS

1. An appellate court reviews the assignments of error set forth in the briefs and does not decide arguments that are not presented as assignments of error; therefore, the court reviewed only the dependency adjudication and not the January 14, 2025 dispositional order.
2. The juvenile court properly adjudicated Ha.S. and Hy.S. dependent because competent and credible evidence established by clear and convincing evidence that the children's environment presented a legitimate risk of harm.

KEY QUOTATIONS

“A finding of dependency ‘requires no showing of fault, but focuses exclusively on the child's situation ...’” (¶ 17)

“Notably, evidence of ‘actual harm to a child is not necessary. Rather, circumstances giving rise to a legitimate risk of harm may suffice to support an adjudication of dependency under R.C. 2151.04(C).’” (¶ 17)

FACTUAL BACKGROUND

Father admitted making graphic online statements expressing a desire to sexually assault children of varying ages, including children near the ages of his own children, and made those statements to individuals he believed were minors. The statements led to an investigation, exposure of the family's address online, visits by people seeking to confront Father, and bullying and physical assault of one child. Father had not physically harmed either child, but he refused an assessment recommended by the agency, and both parents sought to allow Father unsupervised access to the children.

PROCEDURAL HISTORY

The Huron County Department of Job and Family Services filed a dependency complaint concerning Ha.S. and Hy.S. An emergency shelter-care hearing resulted in temporary custody being placed with Mother and supervised visitation for Father. After an adjudicatory hearing, the juvenile court adjudicated both children dependent on January 7, 2025. The Sixth District affirmed that judgment.

DISPOSITION

affirmed

CASES CITED

- State v. Ridener, 2025-Ohio-2845, ¶ 15 (6th Dist.)
- Gilliam v. Rucki, 2023-Ohio-1413, ¶ 27 (6th Dist.)
- In re C.T., 2018-Ohio-3823, ¶¶ 52-53, 60 (6th Dist.)
- In re Adoption of Holcomb, 18 Ohio St. 3d 361, 368 (1985)
- Cross v. Ledford, 161 Ohio St. 469, 120 N.E.2d 118 (1954), paragraph three of the syllabus
- In re Riddle, 79 Ohio St. 3d 259, 262 (1997)
- In re A.C., 2010-Ohio-4933, ¶ 74 (6th Dist.)
- In re K.K., 2024-Ohio-2595, ¶ 44 (12th Dist.)
- In re Pieper Children, 85 Ohio App. 3d 318, 327 (12th Dist. 1993)