

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

In re P.B.

2026-Ohio-1747 · No. 31761 · Decided May 13, 2026

SUMMARY

The Ninth District Court of Appeals of Ohio affirmed the Summit County Juvenile Division’s judgment terminating the parental rights of Mother and Father and awarding permanent custody of P.B. to Summit County Children Services Board. The court held that Mother failed to establish by clear and convincing evidence that a six-month extension of temporary custody was warranted under Ohio Revised Code 2151.415(D)(1). The court also declined to strike the agency’s brief or disregard relevant facts not included in its statement of facts.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Betty Sutton; Flagg Lanzinger; Jennifer Hensal
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	May 13, 2026
DOCKET	31761
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed the Summit County Juvenile Division's judgment terminating both parents' parental rights to P.B. and awarding permanent custody to Summit County Children Services Board. She challenged the denial of her request for a first six-month extension of temporary custody.
STANDARD OF REVIEW	A juvenile court's decision to grant or deny a request for an extension of temporary custody under R.C. 2151.415(D) is reviewed for abuse of discretion. The moving parent must establish by clear and convincing evidence each statutory prerequisite for a first six-month extension.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Mother v. Summit County Children Services Board

TOPICS

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

PRACTICE AREAS

Family law

juvenile law

child welfare

parental rights

QUESTIONS PRESENTED

1. Whether the juvenile court abused its discretion by denying Mother's request for a first six-month extension of temporary custody.
2. Whether Mother proved by clear and convincing evidence that the extension was in the child's best interest, that significant progress had been made on the case plan, and that there was reasonable cause to believe the child would be reunified or otherwise permanently placed during the extension.

HOLDINGS

1. The juvenile court may grant a first six-month extension of temporary custody only when the moving party proves by clear and convincing evidence that the extension is in the child's best interest, significant progress has been made on the case plan, and there is reasonable cause to believe the child will be reunified with a parent or otherwise permanently placed during the extension.
2. Mother failed to prove by clear and convincing evidence that she had made significant progress on the case plan, so the statutory prerequisite for a first six-month extension was not satisfied.
3. Mother failed to prove by clear and convincing evidence that extending temporary custody was in P.B.'s best interest or that there was reasonable cause to believe reunification or another permanent placement would occur within six months.

KEY QUOTATIONS

“The trial court has authority to exercise its discretion to grant a first six-month extension of temporary custody, however, only if the moving party has proved by clear and convincing evidence all of the following: “the extension is in the best interest of the child, there has been significant progress on the case plan of the child, and there is reasonable cause to believe that the child will be reunified with one of the parents or otherwise permanently placed within the period of extension.”” (¶ 9)

FACTUAL BACKGROUND

P.B. was born prematurely in Ohio after Mother and Father had previously lost custody of six older children, including involuntary termination of their parental rights to at least four children in Indiana. CSB obtained emergency temporary custody after investigating the parents' limited contact with P.B., prior child-welfare involvement, criminal histories, and substance-abuse histories. Although the parents stipulated to dependency and agreed to a case plan, during the following eight months Mother did not complete the required mental-health assessment or parenting evaluation, neither parent completed requested substance-abuse assessments, the parents lacked demonstrated stable housing and income, and Mother had unresolved criminal matters. P.B. had spent nearly his entire life in CSB custody, had little contact with the parents, and was bonded with foster parents willing to provide for him.

PROCEDURAL HISTORY

CSB obtained emergency temporary custody after alleging that P.B. was dependent. The parents stipulated to dependency, temporary custody, visitation provisions, and a case plan. CSB later moved for permanent custody, and after a hearing the juvenile court granted permanent custody, denied the parents' requests for a six-month extension, and terminated their parental rights. Mother timely appealed, and the Ninth District affirmed.

DISPOSITION

affirmed

CASES CITED

- In re P.H., 2021-Ohio-3726, ¶ 25 (9th Dist.)
- In re A.S., 2017-Ohio-8984, ¶ 11 (9th Dist.)
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- In re R.S., 2023-Ohio-2224, ¶ 46 (9th Dist.)

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