

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT

In re I.F.

2026-Ohio-844 · No. 2025 CA 00082 and 2025 CA 00083 · Decided March 11, 2026

SUMMARY

The Fifth District Court of Appeals of Ohio affirmed the Licking County Juvenile Division's judgment granting permanent custody of two children, I.F. and N.F., to Licking County Job and Family Services. The court held that clear and convincing evidence supported findings that the children could not or should not be placed with Mother within a reasonable time and that permanent custody was in their best interests.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District
WRITING FOR THE COURT	Robert G. Montgomery; Craig R. Baldwin; David M. Gormley
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District
DECIDED	March 11, 2026
DOCKET	2025 CA 00082 and 2025 CA 00083
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed from a juvenile court judgment granting Licking County Job and Family Services permanent custody of I.F. and N.F. and terminating Mother's parental rights.
STANDARD OF REVIEW	A permanent-custody judgment will not be reversed unless it is against the manifest weight of the evidence. The appellate court does not reweigh evidence or determine witness credibility; it asks whether relevant, competent, and credible evidence supports the judgment. The statutory permanent-custody findings must be supported by clear and convincing evidence.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion; precedential within the applicable jurisdiction subject to Ohio law governing citation and precedent.
PARTIES	Briauna Robinson/Freeman, biological mother v. Licking County Job and Family Services

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether clear and convincing evidence supported the finding under R.C. 2151.414(B)(1)(a) and (E)(1) that the children could not or should not be placed with Mother within a reasonable time.
2. Whether the juvenile court's determination under R.C. 2151.414(D)(1) that permanent custody was in the children's best interests was against the manifest weight of the evidence.
3. Whether Mother could obtain an extension of temporary custody under R.C. 2151.415(D) when the Agency did not request an extension.

HOLDINGS

1. The juvenile court properly found under R.C. 2151.414(B)(1)(a) and (E)(1) that the children could not or should not be placed with Mother within a reasonable time because, despite reasonable case planning and diligent Agency efforts, Mother failed continuously and repeatedly to substantially remedy the conditions causing removal.
2. The juvenile court's determination that granting permanent custody to the Agency was in I.F. and N.F.'s best interests was supported by clear and convincing evidence and was not against the manifest weight of the evidence.
3. Mother had no legal basis to obtain an extension of temporary custody because the Agency did not request one; under the court's precedent, the Agency must request the extension.

KEY QUOTATIONS

“First, the court must find by clear and convincing evidence “that one or more of the conditions in R.C. 2151.414(B)(1)(a) through (e) applies.” Id. And second, the court must find by clear and convincing evidence that the grant of permanent custody is in the best interest of the child.” (¶ 22)

“A juvenile court does not need to specifically list or discuss each of the best-interest factors to meet the mandate that it “consider” the factors in R.C. 2151.414(D).” (¶ 25)

“As an appellate court, we must neither weigh the evidence nor judge the credibility of the witnesses, our role is solely to determine whether there is relevant, competent and credible evidence upon which the fact finder could base its judgment.” (¶ 42)

FACTUAL BACKGROUND

I.F. and N.F. were removed from Mother and Father because of continuing domestic violence, mental-health concerns, unstable housing, and financial instability. The children were adjudicated dependent and placed together in the Agency's temporary custody and the same foster home, where they were bonded, thriving, and receiving appropriate care. Although Mother participated in visitation and made some progress, the evidence

showed continuing instability in housing, finances, mental-health treatment, and domestic-violence-related circumstances, while Father was incarcerated. The foster parents were willing to adopt both children, and the Guardian ad Litem recommended permanent custody.

PROCEDURAL HISTORY

The Agency filed motions for permanent custody on May 8, 2025. After an August 6, 2025 hearing, the Licking County Court of Common Pleas, Juvenile Division, granted permanent custody to the Agency on October 10, 2025, finding by clear and convincing evidence that the children could not or should not be placed with either parent within a reasonable time and that permanent custody was in their best interests. Mother timely appealed, asserting that the reasonable-time and best-interest findings were against the manifest weight of the evidence.

DISPOSITION

affirmed

CASES CITED

- In re A.W., 2024-Ohio-5791, ¶ 15
- In re V.C., 2024-Ohio-5153, ¶ 23 (4th Dist.)
- In re C.S., 2019-Ohio-5109, ¶ 21 (4th Dist.)
- In re R.M., 2013-Ohio-3588, ¶ 55 (4th Dist.)
- In re K.H., 2008-Ohio-4825, ¶ 43
- Cross v. Ledford, 161 Ohio St. 469 (1954), paragraph three of the syllabus
- In re A.H., 2024-Ohio-4694, ¶¶ 30-31 (5th Dist.)
- Seasons Coal Co. v. Cleveland, 10 Ohio St.3d 77 (1984)
- Davis v. Flickinger, 1997-Ohio-260
- In re Christian, 2004-Ohio-3146 (4th Dist.)
- In re C.W., 2004-Ohio-2040 (2d Dist.)
- In re T.C., 2020-Ohio-882, ¶¶ 35, 54
- In re Murray, 52 Ohio St.3d 155, 156-157 (1990)
- Stanley v. Illinois, 405 U.S. 645 (1972)
- In re R.M., Jr., 2018-Ohio-395, ¶ 23 (5th Dist.)
- In re Cunningham, 59 Ohio St.2d 100, 106 (1979)
- In re Smith, 77 Ohio App.3d 1, 16 (6th Dist. 1991)
- In re T.J., 2024-Ohio-110, ¶ 14 (5th Dist.)
- In re A.M., 2020-Ohio-5102, ¶ 18
- In re K.J., 2025-Ohio-4562 (9th Dist.), ¶ 19
- In re William S., 1996-Ohio-182
- In re S.B., 2025-Ohio-2685, ¶ 17 (8th Dist.)

- In re Schafer, 2006-Ohio-5513
- In re Awkal, 85 Ohio App.3d 309 (8th Dist. 1994)
- In re Q.C., 2021-Ohio-3993, ¶ 20 (9th Dist.)
- In re B.C., 2015-Ohio-2720, ¶ 44 (4th Dist.)
- In re Mark H., 1999 Ohio App. LEXIS 1923 (6th Dist.)
- In re S.D.S., 2024-Ohio-255, ¶ 38 (8th Dist.)
- In re J.B., 2024-Ohio-680, ¶ 27 (2d Dist.)
- In re M.K., 2023-Ohio-3786, ¶¶ 26, 33 (5th Dist.)
- In re R.B., 2023-Ohio-2706, ¶ 46 (5th Dist.)
- In re A.R., 2023-Ohio-1359, ¶ 57 (5th Dist.)
- In re B.W., 2015-Ohio-2360, ¶ 31 (10th Dist.)