

COURT OF APPEALS OF OHIO, FIRST APPELLATE DISTRICT, HAMILTON COUNTY

Kuchera v. Pfalzgraf

2026-Ohio-1218 · No. C-250453 · Decided April 3, 2026

SUMMARY

The Ohio First District Court of Appeals affirmed a Hamilton County domestic-relations judgment modifying the parties’ parenting-time schedule and partially granting a contempt motion. The court rejected challenges concerning the best-interest analysis, domestic-violence considerations, contempt findings, attorney fees, and allocation of guardian ad litem fees. The appeal involved the care and parenting time of the parties’ minor child following the child’s mental-health crisis.

CASE DETAILS

COURT	Court of Appeals of Ohio, First Appellate District, Hamilton County
WRITING FOR THE COURT	Crouse, Presiding Judge; Nestor, Judge; Moore, Judge
JURISDICTION	Court of Appeals of Ohio, First Appellate District, Hamilton County
DECIDED	April 3, 2026
DOCKET	C-250453
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant-appellant appealed the trial court's judgment overruling her objections to and adopting a magistrate's decision that modified parenting time, granted her contempt motion in part, awarded limited attorney fees, and allocated guardian ad litem fees.
STANDARD OF REVIEW	Parenting-time modification, contempt rulings, attorney-fee awards, and guardian-ad-litem-fee awards are reviewed for abuse of discretion. The appellate court defers to the trial court's factual findings because the trial court is better positioned to assess witness credibility and weigh evidence.
PRECEDENTIAL VALUE	Published; precedential Ohio Court of Appeals opinion
PARTIES	Jessie Ellen Pfalzgraf v. Benjamin John Kuchera

TOPICS

- child custody
- visitation
- family law procedure
- standard of review
- appellate procedure

PRACTICE AREAS

family law

family law procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion in modifying C.K.'s parenting-time schedule based on a change in circumstances and C.K.'s best interest.
2. Whether the trial court abused its discretion by declining to find Kuchera in contempt for alleged violations involving parenting time, electronic-device access, communications, wage deduction, and unilateral decision-making.
3. Whether the trial court abused its discretion by declining to award Pfalzgraf additional attorney fees.
4. Whether the trial court abused its discretion in ordering Pfalzgraf to pay half of the guardian ad litem's outstanding fees.

HOLDINGS

1. The trial court properly applied R.C. 3109.04 and did not abuse its discretion in finding a change of circumstances and determining that the modified parenting-time schedule was in C.K.'s best interest.
2. The trial court did not abuse its discretion by finding Kuchera in contempt only for failure to pay child support and rejecting the remaining allegations.
3. The trial court did not abuse its discretion by limiting Pfalzgraf's attorney-fee award to \$500.
4. The trial court did not abuse its discretion by ordering Pfalzgraf to pay half of the guardian ad litem's outstanding fees.

KEY QUOTATIONS

“But it does not expressly limit the trial court’s consideration of a child’s wishes to only those circumstances.”
(¶ 61)

“the Rules of Superintendence and the local rules serve as administrative guidelines and do not have the force of law or provide substantive rights.” (¶ 102)

FACTUAL BACKGROUND

Kuchera and Pfalzgraf divorced in June 2021, with a shared-parenting plan governing their three minor children. After C.K. engaged in self-harm and was hospitalized, Kuchera refused to return him to Pfalzgraf's care and sought a modification of parenting time. A guardian ad litem recommended gradually increasing C.K.'s contact with Pfalzgraf rather than returning immediately to the prior schedule. The magistrate modified C.K.'s schedule, found Kuchera in contempt for child-support nonpayment, denied most other contempt allegations, awarded Pfalzgraf \$500 in attorney fees, and divided the guardian ad litem's outstanding fees equally.

PROCEDURAL HISTORY

The parties' 2021 divorce decree incorporated a shared-parenting plan for their three children. After the parties' child C.K. experienced significant mental-health distress, Kuchera moved to modify parenting time and obtain

appointment of a guardian ad litem. Pfalzgraf filed a motion for contempt and requested attorney-fee and guardian-ad-litem-fee relief. Following hearings, the magistrate modified C.K.'s parenting schedule, found Kuchera in contempt for failing to pay child support, awarded Pfalzgraf \$500 in attorney fees, and allocated the remaining guardian ad litem fees equally. The trial court overruled Pfalzgraf's objections and adopted the magistrate's decision; the Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- Tyra v. Griffith, 2025-Ohio-912, ¶ 40 (1st Dist.)
- Johnson v. Abdullah, 2021-Ohio-3304, ¶ 35
- Gipson v. Mercy Health Sys. of S.W. Ohio, 2025-Ohio-2208, ¶ 12
- Hagan v. Hagan, 2019-Ohio-51, ¶ 45 (5th Dist.)
- State v. Rodriguez, 2025-Ohio-53, ¶ 48 (1st Dist.)
- Dexter v. Fairchild, 2024-Ohio-6080, ¶ 31 (1st Dist.)
- Edelstein v. Edelstein, 2025-Ohio-1514, ¶ 87 (1st Dist.)
- Heekin v. Silver Rule Masonry, Inc., 2011-Ohio-2775, ¶ 13 (1st Dist.)
- In re Q.R., 2026-Ohio-341, ¶¶ 28, 30 (1st Dist.)
- Ho v. Co., 2024-Ohio-2424, ¶ 12 (1st Dist.)
- In re Guardianship of Hyde, 2024-Ohio-1878, ¶ 24 (1st Dist.)
- Morgan v. Jones, 2022-Ohio-1831, ¶ 20 (1st Dist.)

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