

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT,
GEAUGA COUNTY

O'Neill v. Jones

2025-Ohio-5366 · No. 2025-G-0019 · Decided December 1, 2025

SUMMARY

The Eleventh District Court of Appeals of Ohio affirmed a trial court judgment granting a maternal grandmother companionship rights with a minor child under Ohio Revised Code 3109.11. The court held that the trial court independently reviewed the father’s objections to the magistrate’s decision and properly considered the statutory best-interest factors, the father’s objections, and the child’s circumstances. The court also addressed the constitutional requirement to give special weight to a fit parent’s wishes and the effect of the absence of a sealed transcript of the magistrate’s in-camera interview from the appellate record.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Geauga County
WRITING FOR THE COURT	Eugene A. Lucci; Robert J. Patton; John J. Eklund
JURISDICTION	Court of Appeals of Ohio, Eleventh Appellate District, Geauga County
DECIDED	December 1, 2025
DOCKET	2025-G-0019
DISPOSITION	affirmed
PROCEDURAL POSTURE	Father appealed the Geauga County Court of Common Pleas' judgment adopting a magistrate's decision that granted the maternal grandmother companionship with the minor child.
STANDARD OF REVIEW	A trial court's action on a magistrate's decision and its decision regarding grandparent companionship are generally reviewed for abuse of discretion. When factual findings are challenged, the appellate court applies the manifest-weight-of-the-evidence standard. The appellate court also presumes the correctness of findings based on an in-camera interview when the sealed transcript is not included in the record.
PRECEDENTIAL VALUE	published
PARTIES	Jeremy J. Jones v. Heidi O'Neill

TOPICS

grandparent rights

visitation

family law procedure

appellate procedure

standard of review

PRACTICE AREAS

family law

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constitutional law

QUESTIONS PRESENTED

1. Whether the trial court independently reviewed father's timely objections to the magistrate's decision as required by Civ.R. 53(D)(4)(d).
2. Whether the trial court abused its discretion or entered a judgment against the manifest weight of the evidence in granting the maternal grandmother companionship under R.C. 3109.11.
3. Whether the court properly considered the R.C. 3109.051(D) best-interest factors and gave special weight to the fit parent's opposition as required by *Troxel v. Granville* and *Harrold v. Collier*.
4. Whether the trial court improperly disregarded the child's expressed wishes after the magistrate's in-camera interview.
5. Whether father's challenges to provisions concerning extracurricular activities and discussions of the mother's death were forfeited because he did not specifically object to those provisions before the trial court.

HOLDINGS

1. The trial court satisfied Civ.R. 53(D)(4)(d) because it expressly stated that it independently analyzed father's objections and its judgment discussed the relevant facts and legal issues, even though it did not separately address every objection.
2. The trial court did not abuse its discretion in granting the maternal grandmother companionship under R.C. 3109.11 after considering the relevant R.C. 3109.051(D) factors and determining that companionship was in the child's best interests.
3. The trial court properly gave special weight to father's wishes while determining, after considering all relevant statutory factors, that companionship with grandmother was in the child's best interests.
4. Because father did not arrange for a sealed transcript of the in-camera interview to be prepared and transmitted, the appellate court presumed the correctness of the magistrate's finding that father coached the child and could not review that finding on the merits.
5. Father forfeited his challenges to the provisions concerning extracurricular activities and discussions of the mother's death because he did not specifically object to those provisions before the trial court.

KEY QUOTATIONS

"If one or more objections to a magistrate's decision are timely filed, the court shall rule on those objections. In ruling on objections, the court shall undertake an independent review as to the objected matters to ascertain that the magistrate has properly determined the factual issues and appropriately applied the law."

(¶ 14)

“However, courts are not required “to find ‘overwhelmingly clear circumstances’ to support forcing visitation for the benefit of the child over the opposition of the parent.”” (¶ 28)

“As father bore the burden of providing a sealed transcript of the interview for the trial court’s review on objections and for this court’s review on appeal, without the transcript, we must presume that the magistrate’s finding that father coached the child to express his desire to not visit grandmother is accurate.” (¶ 58)

FACTUAL BACKGROUND

The child was born in December 2015, and the child's parents began divorce proceedings in 2019. During the divorce proceedings, the mother and child lived with the maternal grandmother, with whom the child developed a close relationship. After the mother died in July 2022, the grandmother sought companionship rights under R.C. 3109.11; the magistrate found companionship to be in the child's best interests, while also finding that the child lacked sufficient maturity to express reliable wishes and had been coached by father.

PROCEDURAL HISTORY

After the child's mother died, the maternal grandmother filed a complaint under R.C. 3109.11 seeking companionship rights. The trial court denied father's motion to dismiss, appointed a guardian ad litem, and proceeded to a magistrate trial. The magistrate found companionship to be in the child's best interests and established a schedule; the trial court adopted that decision after overruling father's objections. Father appealed, asserting that the trial court failed to independently review the objections, misapplied the best-interest factors, failed to give special weight to his wishes, improperly handled the child's expressed wishes, and entered a judgment against the manifest weight of the evidence.

DISPOSITION

affirmed

CASES CITED

- State ex rel. Jones v. Paschke, 2023-Ohio-1536, ¶ 1 (11th Dist.)
- State ex rel. Jones v. Paschke, 2024-Ohio-135, ¶¶ 14, 18-19
- Carson v. Holmes, 2010-Ohio-4199, ¶ 23 (11th Dist.)
- Hetmanski v. Hetmanski, 2024-Ohio-1646, ¶ 75 (11th Dist.)
- Cottage v. Cottage, 1997 WL 360977, *11 (11th Dist. June 13, 1997)
- In re Newsome, 2008-Ohio-2132, ¶ 22 (11th Dist.)
- State v. Marcellino, 2019-Ohio-4837, ¶ 23 (11th Dist.)
- State v. Flanagan, 2015-Ohio-5528, ¶ 42 (11th Dist.)
- State v. Ferranto, 112 Ohio St. 667, 676-678 (1925)
- Koller v. Zellman, 2018-Ohio-2463, ¶ 31 (11th Dist.)
- CitiMortgage, Inc. v. Elrod, 2017-Ohio-8442, ¶ 15 (11th Dist.)
- State v. Thompkins, 1997-Ohio-52, ¶ 24

- Straight v. Straight, 2020-Ohio-4692, ¶¶ 24-25 (11th Dist.)
- Chandler v. Chandler, 2017-Ohio-710, ¶ 13 (11th Dist.)
- Eastley v. Volkman, 2012-Ohio-2179, ¶ 20
- Troxel v. Granville, 530 U.S. 57, 66 (2000)
- Harrold v. Collier, 2005-Ohio-5334, ¶¶ 12, 45-46
- In re N.S., 2022-Ohio-3988, ¶ 26 (1st Dist.)
- Jackson v. Herron, 2005-Ohio-4046, ¶ 16 (11th Dist.)
- Willis v. Willis, 2002-Ohio-3716, ¶ 20 (12th Dist.)
- Swain v. Swain, 2005-Ohio-4321, ¶ 18 (4th Dist.)
- Hammond v. Hammond, 2019-Ohio-1219, ¶ 13 (1st Dist.)
- Guliano v. Guliano, 2011-Ohio-6853, ¶ 37 (11th Dist.)