

COURT OF APPEALS OF OHIO, FIFTH APPELLATE DISTRICT

In re E.A. and H.A.

2026-Ohio-1713 · No. 2025 CA 0023, 2025 CA 0024 · Decided May 11, 2026

SUMMARY

The Fifth District Court of Appeals of Ohio affirmed the Coshocton County Juvenile Court's judgment terminating the mother's parental rights to twins E.A. and H.A. and awarding permanent custody to the Coshocton County Department of Job and Family Services. The court held that the mother was not denied due process because she had notice, an opportunity to be heard, and access to counsel, and because the statutory requirements for permanent custody were satisfied. The court also upheld the denial of a second six-month extension of temporary custody.

CASE DETAILS

COURT	Court of Appeals of Ohio, Fifth Appellate District
WRITING FOR THE COURT	Andrew J. King, P.J.; Kevin W. Popham, J.; David M. Gormley, J.
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District
DECIDED	May 11, 2026
DOCKET	2025 CA 0023, 2025 CA 0024
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed a juvenile court judgment terminating her parental rights and granting permanent custody of her children to the Coshocton County Department of Job and Family Services, arguing that the judgment violated due process.
STANDARD OF REVIEW	The denial of a six-month extension of temporary custody is reviewed for abuse of discretion. Abuse of discretion means an unreasonable, arbitrary, or unconscionable decision; an unreasonable decision is one unsupported by any sound reasoning process. The permanent-custody findings were governed by the statutory clear-and-convincing-evidence standard.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	W.V., mother v. Coshocton County Department of Job and Family Services

TOPICS

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parental rights

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether granting CCJFS permanent custody rather than ordering further reunification efforts violated mother's due process right to parent her children.
2. Whether the juvenile court's denial of mother's request for a second six-month extension of temporary custody violated due process.
3. Whether the statutory requirements for permanent custody were satisfied based on the children's placement in agency custody for at least twelve months of a consecutive twenty-two-month period and their best interests.

HOLDINGS

1. The permanent-custody judgment did not violate due process because mother received notice, counsel, and an opportunity to present evidence at the permanent-custody proceedings, and the statutory requirements for permanent custody were satisfied.
2. The denial of a second six-month extension was not an abuse of discretion and did not violate due process.
3. The statutory requirements were met because the children had been in agency custody for at least twelve months of a consecutive twenty-two-month period and permanent custody was in their best interests.

KEY QUOTATIONS

"However, 'the natural rights of a parent are not absolute, but are always subject to the ultimate welfare of the child, which is the polestar or controlling principle to be observed. Ultimately, parental interests are subordinate to the child's interest when determining the appropriate resolution of a petition to terminate parental rights.'" (¶ 23)

"'Permanent termination of parental rights has been described as the family law equivalent of the death penalty in a criminal case. Therefore, parents must be afforded every procedural and substantive protection the law allows.'" (¶ 24)

"Through the '12 of 22' provisions in the permanent-custody statutes, the legislature provides parents with 12 months to work toward reunification before an agency can institute a permanent-custody action asserting R.C. 2151.414(B)(1)(d) grounds." (¶ 28)

FACTUAL BACKGROUND

CCJFS became involved after the twins were born with umbilical cords testing positive for drugs and after concerns arose regarding mother's continued substance abuse and domestic violence. The children were removed from mother's care in April 2024 and placed with a specialized foster family because of their in-utero drug

exposure and special needs. Despite extensive treatment and case-plan services, mother repeatedly relapsed or violated program requirements, failed to provide consistently for the children's needs, had unstable housing and relationships, and showed no meaningful improvement in parenting skills. The children were bonded with their foster family and thriving there, while the evidence showed no comparable bond with mother.

PROCEDURAL HISTORY

The juvenile court granted CCJFS emergency and then temporary custody of the twins after allegations involving substance abuse, domestic violence, and neglect. Mother admitted dependency, received case-plan services, and obtained one six-month extension of temporary custody. Following a contested permanent-custody hearing, the juvenile court granted CCJFS permanent custody on October 10, 2025. The Fifth District affirmed.

DISPOSITION

affirmed

CASES CITED

- In re Thompkins, 2007-Ohio-5238, ¶ 12
- Troxel v. Granville, 530 U.S. 57, 65 (2000)
- In re B.C., 2014-Ohio-4558, ¶¶ 17, 19
- In re Perales, 52 Ohio St.2d 89, 97 (1977)
- In re Murray, 52 Ohio St.3d 155, 157 (1990)
- In re Evans, 2001-Ohio-2302, *3 (3d Dist.)
- In re C.W., 2004-Ohio-6411, ¶ 22
- In the Matter of A.S., V.S., and Z.S., 2013-Ohio-4018 (5th Dist.)
- Huffman v. Hair Surgeon, Inc., 19 Ohio St.3d 83, 87 (1985)
- AAAA Ent., Inc. v. River Place Community Urban Redev. Corp., 50 Ohio St.3d 157, 161 (1990)
- In re McNab, 2008-Ohio-1638 (5th Dist.)
- In re T.N., 2019-Ohio-2142, ¶ 25 (5th Dist.)