

COURT OF APPEALS OF OHIO, EIGHTH APPELLATE DISTRICT,
CUYAHOGA COUNTY

In re M.D.T.

2026-Ohio-1774 · No. 115543 · Decided May 14, 2026

SUMMARY

The Eighth District Court of Appeals of Ohio reviewed a finding of indirect criminal contempt against the Cuyahoga County Office of Child Support Services for failing to produce documents related to an administrative child-support order. The court held that the evidence did not establish beyond a reasonable doubt that OCSS intentionally violated the court’s order and vacated the contempt judgment and \$250 fine.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Eileen T. Gallagher, P.J.; Emanuella D. Groves, J.; Deena R. Calabrese, J.
JURISDICTION	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
DECIDED	May 14, 2026
DOCKET	115543
DISPOSITION	vacated
PROCEDURAL POSTURE	The Cuyahoga County Office of Child Support Services appealed a juvenile court judgment finding it guilty of indirect criminal contempt and imposing a \$250 fine for failing to comply with an order to produce documents used to calculate an administrative child-support obligation.
STANDARD OF REVIEW	Contempt findings ordinarily are reviewed for abuse of discretion, but an appellate court must determine whether sufficient evidence supported a finding beyond a reasonable doubt that the alleged contemnor purposely, willfully, or intentionally violated a prior court order.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Cuyahoga County Office of Child Support Services v. In re M.D.T., a minor child

TOPICS

contempt child support appellate procedure standard of review family law

PRACTICE AREAS

family law appellate procedure civil procedure contempt child support

QUESTIONS PRESENTED

1. Whether sufficient evidence supported a finding beyond a reasonable doubt that OCSS intentionally violated the juvenile court's April 17, 2025 order.
2. Whether the juvenile court abused its discretion by imposing criminal contempt under the circumstances.
3. Whether the alleged burden-shifting error in the criminal-contempt proceeding required reversal.

HOLDINGS

1. The evidence was insufficient to establish beyond a reasonable doubt that OCSS intentionally defied or violated the April 17, 2025 order.
2. The juvenile court abused its discretion by proceeding with a criminal-contempt sanction where the alleged noncompliance was not shown to be intentional and the court had less severe alternatives, including continuing the support hearing or using civil contempt with an opportunity to purge.
3. The second assignment of error was moot because the first assignment of error was dispositive.

KEY QUOTATIONS

“In short, to be found guilty of criminal contempt for failure to comply with a court order, the court must find, beyond a reasonable doubt, that the contemnor intentionally failed to comply with a valid court order.”

“Regardless of whether there was merit to any of the reasons outlined in the “Notice of Inability to Comply,” there is no evidence that OCSS intentionally defied the court’s order.”

FACTUAL BACKGROUND

A father objected to an administrative child-support order calculated by OCSS, particularly the treatment of his overtime earnings. The juvenile court ordered OCSS to produce records showing how the support obligation was calculated or to present a knowledgeable witness. The order was emailed to the county prosecutor's office rather than directly to OCSS, and OCSS's witnesses testified that they had no knowledge of it. OCSS later produced the documents, but the magistrate proceeded with the support hearing without them, found OCSS in indirect criminal contempt, and imposed a \$250 fine.

PROCEDURAL HISTORY

A juvenile court magistrate ordered OCSS to produce records or present a qualified witness concerning the calculation of a father's administrative child-support order. The records were not produced before trial, and the magistrate later initiated a criminal-contempt proceeding. After a hearing, the magistrate found OCSS guilty and

imposed a \$250 fine; the juvenile court overruled OCSS's objections and adopted the contempt finding. The Eighth District vacated the judgment, holding that the evidence did not establish intentional violation beyond a reasonable doubt.

DISPOSITION

vacated

REMAND INSTRUCTIONS

A special mandate was ordered directing the common pleas court, juvenile division, to carry the appellate judgment into execution. The opinion did not order a new criminal-contempt hearing.

CASES CITED

- In re J.M., 2008-Ohio-6763, ¶ 46 (12th Dist.)
- In re Lance, 2016-Ohio-2717, ¶ 12 (8th Dist.)
- Oak Hill Banks v. Ison, 2003-Ohio-5547, ¶ 14 (4th Dist.)
- Cleveland Hts. v. Preston, 2026-Ohio-344, ¶ 23 (8th Dist.)
- Liming v. Damos, 2012-Ohio-4783, ¶ 12
- Doe v. Univ. Hosps. Health Sys., 2023-Ohio-2120, ¶ 17 (11th Dist.)
- Miller v. Miller, 2020-Ohio-5262, ¶ 7 (8th Dist.)
- Hissa v. Hissa, 2014-Ohio-1508, ¶ 21 (8th Dist.)
- In re Mallory-Nichols, 2023-Ohio-3982, ¶ 28 (8th Dist.)
- In re D.S.S., 2020-Ohio-5386, ¶ 19 (11th Dist.)
- Weisgarber v. Weisgarber, 2016-Ohio-676, ¶ 10 (5th Dist.)
- Midland Steel Prods. Co. v. Internatl. Union, United Auto., Aero. & Agricultural Implement Workers, Local 486, 61 Ohio St.3d 121, 127 (1991)
- Harris v. United States, 382 U.S. 162, 164 (1965)
- Brown v. United States, 359 U.S. 41, 54 (1959)
- Sacher v. United States, 343 U.S. 1, 8 (1952)
- United States v. Concord Mgt. & Consulting L.L.C., 2019 U.S. Dist. LEXIS 225949 (D.C. Dist. July 1, 2019)
- United States v. Koubriti, 305 F.Supp.2d 723, 748 (E.D. Mich. 2003)