

COURT OF APPEALS OF OHIO, SECOND APPELLATE DISTRICT,
MONTGOMERY COUNTY

In re K.R.H.

2026-Ohio-583 · No. 30587 · Decided February 20, 2026

SUMMARY

The Ohio Second District Court of Appeals reviewed modifications to a father's parenting time with two minor children. The court affirmed the modification concerning C.H., reversed the limitation of parenting time with K.R.H. to therapy sessions at the therapist's discretion, and remanded for further proceedings.

CASE DETAILS

COURT	Court of Appeals of Ohio, Second Appellate District, Montgomery County
WRITING FOR THE COURT	Christopher B. Epley; Tucker, J.; Hanseman, J.
JURISDICTION	Ohio Court of Appeals, Second Appellate District, Montgomery County
DECIDED	February 20, 2026
DOCKET	30587
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Father appealed a Montgomery County Juvenile Division judgment modifying his parenting time with his son and daughter.
STANDARD OF REVIEW	Abuse of discretion. A parenting-time decision will not be reversed unless the trial court's attitude was unreasonable, arbitrary, or unconscionable.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Father v. E.T., appellee

TOPICS

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

PRACTICE AREAS

- family law
- parenting time
- child custody
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by modifying Father's parenting time with C.H. to the Standard Order of Parenting Time.
2. Whether the trial court abused its discretion by limiting Father's parenting time with K.R.H. to therapy sessions and placing any modification solely within the therapist's discretion.

HOLDINGS

1. The trial court did not abuse its discretion by modifying Father's parenting time with C.H. to the Standard Order of Parenting Time.
2. The trial court abused its discretion by limiting Father's parenting time with K.R.H. to therapy sessions and by making any modification dependent solely on the therapist's discretion.

KEY QUOTATIONS

“This arrangement has resulted in Father having no contact with K.R.H. for months at a time, and there is nothing in the record to indicate that this serves K.R.H.’s best interest.” (¶ 21)

“We find nothing in the record to support the trial court’s conclusion that it is in K.R.H.’s best interest for Father’s parenting time to be determined by Phillips.” (¶ 22)

FACTUAL BACKGROUND

Father and Mother are the unmarried parents of C.H. and K.R.H. Before the challenged order, C.H. had an alternating parenting-time schedule, while Father's contact with K.R.H. occurred during biweekly counseling sessions. Counseling became irregular because the therapist experienced health problems, leaving Father without contact with K.R.H. for months. The guardian ad litem recommended a more predictable schedule for C.H. and additional dinners or activities for Father and K.R.H. when counseling was unavailable.

PROCEDURAL HISTORY

Father moved for a change of custody, and Mother moved for a change of parenting time. After a guardian ad litem investigation and an April 12, 2024 trial, the magistrate ordered that Father's parenting time with C.H. follow the Standard Order of Parenting Time and limited his parenting time with K.R.H. to therapy sessions, with modifications at the therapist's discretion. The trial court overruled Father's objections on July 18, 2025. Father appealed, and the appellate court affirmed the order as to C.H., reversed it as to K.R.H., and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further proceedings consistent with the opinion regarding Father's parenting time with K.R.H.; the judgment regarding C.H. remains affirmed.

CASES CITED

- Shoenfelt v. Shoenfelt, 2009-Ohio-6594, ¶ 7 (2d Dist.)
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- State v. Malloy, 2012-Ohio-2664, ¶ 24 (2d Dist.)
- In re E.R., 2022-Ohio-3658, ¶ 9 (2d Dist.)
- Braatz v. Braatz, 85 Ohio St.3d 40, 45 (1999)
- Palichat v. Palichat, 2019-Ohio-1379, ¶¶ 28, 33-36 (2d Dist.)
- Hutchinson v. Hutchinson, 2014-Ohio-4604, ¶ 32 (2d Dist.)
- Doane v. Doane, 2001 WL 474267, *6 (5th Dist. May 2, 2001)
- In re E.M.W., 2009-Ohio-3016, ¶ 18 (2d Dist.)
- Smith v. Quigg, 2006-Ohio-1495, ¶ 66 (5th Dist.)

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