

COURT OF APPEALS OF OHIO, FOURTH APPELLATE DISTRICT, SCIOTO COUNTY

In re X.P.

2026-Ohio-1221 · No. 25CA4145 · Decided March 25, 2026

SUMMARY

The Ohio Fourth District Court of Appeals reviews a judgment awarding Scioto County Children Services permanent custody of two children adjudicated neglected or dependent. The biological mother challenged the finding that permanent custody was in the children's best interests, while the record addressed the parents' substance-abuse treatment, housing, visitation, paternity, foster placement, and the children's bonds and wishes. The opinion applies the clear-and-convincing-evidence and manifest-weight standards under Ohio's permanent-custody statutes.

CASE DETAILS

COURT	Court of Appeals of Ohio, Fourth Appellate District, Scioto County
WRITING FOR THE COURT	Peter B. Abele; Smith, Presiding Judge; Wilkin, Judge
JURISDICTION	Ohio Court of Appeals, Fourth Appellate District, Scioto County
DECIDED	March 25, 2026
DOCKET	25CA4145
DISPOSITION	affirmed
PROCEDURAL POSTURE	Biological mother appealed a juvenile court judgment granting Scioto County Children Services permanent custody of her two children and terminating the parents' parental rights.
STANDARD OF REVIEW	A permanent-custody judgment is reviewed under the manifest-weight-of-the-evidence standard. The reviewing court considers the evidence, reasonable inferences, and witness credibility, and asks whether the juvenile court clearly lost its way and created a manifest miscarriage of justice. The reviewing court must determine whether competent and credible evidence supported the juvenile court's findings by clear and convincing evidence.
PRECEDENTIAL VALUE	Published and precedential under the supplied metadata.
PARTIES	T.R. v. Scioto County Children Services

TOPICS

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QUESTIONS PRESENTED

1. Whether the juvenile court's determination that permanent custody with Scioto County Children Services served the children's best interests was supported by clear and convincing evidence.
2. Whether the juvenile court's permanent-custody judgment was against the manifest weight of the evidence.

HOLDINGS

1. A reviewing court will not disturb a permanent-custody decision unless it is against the manifest weight of the evidence; the court must determine whether the juvenile court's findings were supported by clear and convincing evidence.
2. When an agency seeks permanent custody after obtaining temporary custody, the court applies R.C. 2151.414, which permits permanent custody when clear and convincing evidence establishes that permanent custody serves the child's best interest and the child has been in agency temporary custody for twelve or more months of a consecutive twenty-two-month period.
3. The juvenile court's finding that permanent custody with Scioto County Children Services served the children's best interests was supported by clear and convincing evidence and was not against the manifest weight of the evidence.

KEY QUOTATIONS

“A legally secure permanent placement is more than a house with four walls. Rather, it generally encompasses a stable environment where a child will live in safety with one or more dependable adults who will provide for the child’s needs.” (2026-Ohio-1221, ¶ 68)

“Substantial compliance with a case plan is not necessarily dispositive on the issue of reunification and does not preclude a grant of permanent custody to a children's services agency.” (2026-Ohio-1221, ¶ 70)

“Accordingly, based upon the foregoing reasons, we overrule appellant’s sole assignment of error and affirm the trial court’s judgment.” (2026-Ohio-1221, ¶ 76)

FACTUAL BACKGROUND

In October 2021, the agency received a referral after the mother was arrested for shoplifting and admitted recent methamphetamine use; the putative father of one child also tested positive for multiple controlled substances. The children were removed and adjudicated neglected or dependent, and they remained in the agency's temporary custody for more than two years. The mother made some efforts toward substance-abuse treatment and consistently visited the children but relapsed, lacked independent housing, and did not maintain sobriety.

The alleged biological father delayed pursuing genetic testing and involvement in the case, while both children developed strong bonds with their foster families and were reported to be thriving there.

PROCEDURAL HISTORY

The children were adjudicated neglected or dependent and placed in the agency's temporary custody in January 2022. After the children remained in temporary custody for more than twelve months of a consecutive twenty-two-month period, the agency moved for permanent custody. Following a hearing, the juvenile court granted the motion on July 9, 2025. The mother appealed, arguing that the best-interest determination was unsupported by clear and convincing evidence. The Fourth District overruled the assignment of error and affirmed.

DISPOSITION

affirmed

CASES CITED

- In re B.E., 2014-Ohio-3178, ¶ 27 (4th Dist.)
- In re R.S., 2013-Ohio-5569, ¶ 29 (4th Dist.)
- In re Z.C., 2023-Ohio-4703, ¶¶ 1, 18
- Eastley v. Volkman, 2012-Ohio-2179, ¶¶ 12, 20
- State v. Thompkins, 78 Ohio St.3d 380, 387 (1997)
- Seasons Coal Co. v. Cleveland, 10 Ohio St.3d 77, 80 (1984)
- Davis v. Flickinger, 77 Ohio St.3d 415, 419 (1997)
- In re Christian, 2004-Ohio-3146, ¶ 7 (4th Dist.)
- In re K.H., 2008-Ohio-4825, ¶ 43
- In re Estate of Haynes, 25 Ohio St.3d 101, 103-104 (1986)
- State v. Schiebel, 55 Ohio St.3d 71, 74 (1990)
- In re Holcomb, 18 Ohio St.3d 361, 368 (1985)
- Cross v. Ledford, 161 Ohio St. 469 (1954)
- In re Adoption of Lay, 25 Ohio St.3d 41, 42-43 (1986)
- In re Adoption of Masa, 23 Ohio St.3d 163, 165 (1986)
- In re R.M., 2013-Ohio-3588, ¶ 62 (4th Dist.)
- In re R.L., 2012-Ohio-6049, ¶ 17 (2d Dist.)
- B.C., 2014-Ohio-4558, ¶¶ 19-20
- Troxel v. Granville, 530 U.S. 57, 65 (2000)
- In re Murray, 52 Ohio St.3d 155, 157 (1990)
- Stanley v. Illinois, 405 U.S. 645, 651 (1972)
- In re Hayes, 79 Ohio St.3d 46, 48 (1997)
- Santosky v. Kramer, 455 U.S. 745, 753 (1982)

- In re Perales, 52 Ohio St.2d 89, 97 (1977)
- Clark v. Bayer, 32 Ohio St. 299, 310 (1877)
- In re D.A., 2007-Ohio-1105, ¶ 11
- In re Cunningham, 59 Ohio St.2d 100, 106 (1979)
- In re R.J.C., 300 So.2d 54, 58 (Fla. App. 1974)
- In re C.F., 2007-Ohio-1104, ¶¶ 29, 55, 57
- In re Schaefer, 2006-Ohio-5513, ¶ 56
- In re K.M.S., 2017-Ohio-142, ¶ 24 (3d Dist.)
- In re C.B.C., 2016-Ohio-916, ¶ 66 (4th Dist.)
- In re B.C., 2014-Ohio-4558, ¶ 20
- Lehman v. Lycoming County Children's Services Agency, 458 U.S. 502, 513-514 (1982)
- In re Adams, 2007-Ohio-4840, ¶ 22
- In re M.H., 2017-Ohio-7365, ¶ 102 (4th Dist.)
- In re S.S., 2017-Ohio-2938, ¶ 164 (4th Dist.)
- In re N.L., 2015-Ohio-4165, ¶ 35 (9th Dist.)
- In re S.C., 2015-Ohio-2280, ¶ 40 (8th Dist.)
- In re West, 2003-Ohio-6299, ¶ 19 (4th Dist.)
- In re Gomer, 2004-Ohio-1723, ¶ 36 (3d Dist.)
- In re A.S., 2014-Ohio-3035, ¶ 32 (8th Dist.)