

COURT OF APPEALS OF OHIO, FOURTH APPELLATE DISTRICT

In re H.C.

2026-Ohio-12 · No. 25CA12 · Decided January 5, 2026

SUMMARY

The Ohio Fourth District Court of Appeals reviewed an appeal from a juvenile court judgment granting Highland County Department of Jobs and Family Services permanent custody of a dependent child. The biological father challenged the findings supporting permanent custody and the determination that permanent custody was in the child's best interest. The court concluded that the statutory temporary-custody-duration ground independently supported the judgment and that competent, credible evidence supported the best-interest determination.

CASE DETAILS

COURT	Court of Appeals of Ohio, Fourth Appellate District
WRITING FOR THE COURT	Peter B. Abele; Smith, P.J.; Wilkin, J.
JURISDICTION	Ohio Court of Appeals, Fourth Appellate District
DECIDED	January 5, 2026
DOCKET	25CA12
DISPOSITION	affirmed
PROCEDURAL POSTURE	J.C., the child's biological father, appealed the Highland County Common Pleas Court, Juvenile Division's judgment granting the Highland County Department of Jobs and Family Services permanent custody of H.C.
STANDARD OF REVIEW	A permanent-custody judgment is reviewed under the manifest-weight-of-the-evidence standard. The appellate court weighs the evidence and reasonable inferences, considers witness credibility, and asks whether the fact-finder clearly lost its way and created a manifest miscarriage of justice. The reviewing court also examines whether competent and credible evidence supports the required clear-and-convincing burden and may reverse for legally insufficient evidence. Deference is given to the trial court's credibility determinations.
PRECEDENTIAL VALUE	published
PARTIES	J.C. v. Highland County Department of Jobs and Family Services, Child Protection Division

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the juvenile court's finding that statutory grounds existed for permanent custody was against the manifest weight of the evidence.
2. Whether the juvenile court was required to find abandonment in addition to the child's having been in temporary agency custody for twelve or more months of a consecutive twenty-two-month period.
3. Whether the juvenile court's best-interest determination was supported by sufficient evidence and was against the manifest weight of the evidence.
4. Whether the juvenile court was required to favor placement with a relative or find that placement with a parent or relative was unavailable before awarding permanent custody to the agency.
5. Whether the juvenile court properly considered the child's wishes through the guardian ad litem.

HOLDINGS

1. A trial court need find only one of the factors listed in R.C. 2151.414(B)(1)(a) through (e), together with the required best-interest finding, before awarding permanent custody to a children-services agency. Because the twelve-of-twenty-two-months ground under R.C. 2151.414(B)(1)(d) was supported, the court did not need to rely on abandonment under R.C. 2151.414(B)(1)(b).
2. The permanent-custody judgment was supported by sufficient, competent, and credible evidence and was not against the manifest weight of the evidence.
3. A trial court evaluating a child's best interest need not find that no suitable relative is available and is not required to favor relative placement over agency permanent custody.
4. R.C. 2151.414(D)(1)(b) permits the trial court to consider the child's wishes either directly from the child or through the guardian ad litem, with due regard for the child's maturity.

KEY QUOTATIONS

“R.C. 2151.414(B)(1) requires the trial court to find the existence of only one of the factors listed in R.C. 2151.414(B)(1)(a) to (e).” (§§31-§32)

“However, none of the best interest factors is entitled to “greater weight or heightened significance.” Instead, the trial court considers the totality of the circumstances when making its best interest determination.” (§36)

“Moreover, courts are not required to favor relative placement if, after considering all the factors, it is in the child’s best interest for the agency to be granted permanent custody.” (§40)

“Accordingly, based upon the foregoing reasons, we overrule appellant’s two assignments of error and affirm

the trial court’s judgment.” (§45)

FACTUAL BACKGROUND

H.C. was placed in the agency's emergency and temporary custody after a report that her mother used marijuana around her. H.C. remained in temporary agency custody for more than twelve months of a consecutive twenty-two-month period. The agency presented evidence that the mother continued a relationship with C.W., who had a violent and criminal history and drug-related concerns, while H.C. was thriving in foster care; the guardian ad litem recommended permanent custody. The father had no contact with H.C. for an extended period, did not appear at the permanent-custody hearing, and did not complete a case plan.

PROCEDURAL HISTORY

The agency obtained emergency and then temporary custody after filing a dependency complaint. The juvenile court adjudicated H.C. dependent, extended temporary custody through September 2024, and granted the agency's permanent-custody motion after a February 2025 hearing. The juvenile court entered judgment on March 5, 2025, and J.C. appealed, challenging the statutory grounds, best-interest finding, sufficiency of the evidence, and manifest weight of the evidence.

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
- Eastley v. Volkman, 2012-Ohio-2179, ¶¶12, 20
- State v. Thompkins, 78 Ohio St.3d 380, 386-387 (1997)
- Tewarson v. Simon, 141 Ohio App.3d 103, 115 (9th Dist. 2001)
- State v. Martin, 20 Ohio App.3d 172, 175 (1st Dist. 1983)
- In re Pittman, 2002-Ohio-2208, ¶¶23-24 (9th Dist.)
- 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.L., 2012-Ohio-6049, ¶ 17 (2d Dist.)
- In re A.U., 2008-Ohio-187, ¶ 9 (2d Dist.)
- In re B.C., 2014-Ohio-4558, ¶ 19
- 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)
- In re Perales, 52 Ohio St.2d 89, 97 (1977)
- Clark v. Bayer, 32 Ohio St. 299, 310 (1877)
- Santosky v. Kramer, 455 U.S. 745, 753 (1982)
- 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 N.S.N., 2015-Ohio-2486, ¶ 52 (4th Dist.)
- In re R.S., 2012-Ohio-2016, ¶ 31 (4th Dist.)
- In re P.G., 2025-Ohio-1521, ¶ 42 (4th Dist.)
- In re Schaefer, 2006-Ohio-5513, ¶¶56, 64
- In re C.G., 2008-Ohio-3773, ¶ 28 (9th Dist.)
- In re N.W., 2008-Ohio-297, ¶ 19 (10th Dist.)
- In re K.M.S., 2017-Ohio-142, ¶ 24 (3d Dist.)
- In re A.C., 2014-Ohio-4918, ¶ 46 (9th Dist.)
- In re C.B.C., 2016-Ohio-916, ¶ 66 (4th Dist.)
- In re Adoption of Ridenour, 61 Ohio St.3d 319, 324 (1991)
- In re T.G., 2015-Ohio-5330, ¶ 24 (4th Dist.)
- In re V.C., 2015-Ohio-4991, ¶ 61 (8th Dist.)
- K.M., 2014-Ohio-4268, ¶ 9 (9th Dist.)
- In re J.B., 2013-Ohio-1703, ¶ 31 (8th Dist.)
- In re T.S., 2009-Ohio-5496, ¶ 35 (8th Dist.)
- In re J.B., 2013-Ohio-1706, ¶ 111 (8th Dist.)
- In re S.M., 2014-Ohio-2961, ¶ 32 (4th Dist.)
- In re C.N., 2015-Ohio-2546, ¶ 9 (10th Dist.)
- State v. McKinney, 2024-Ohio-4642, ¶ 63 (4th Dist.)