

COURT OF APPEALS OF OHIO, TWELFTH APPELLATE DISTRICT, BUTLER COUNTY

In re J.L.S.

2026-Ohio-1312 · No. CA2025-11-124 · Decided April 13, 2026

SUMMARY

The Ohio Twelfth District Court of Appeals affirmed a juvenile court judgment granting permanent custody of J.L.S. to the Butler County Department of Jobs and Family Services. The court held that the judgment was not against the manifest weight of the evidence, emphasizing the mother's prior involuntary termination of parental rights, statutory abandonment, the child's custodial history, and the child's bond with the foster family. The court also rejected the mother's ineffective-assistance claim concerning the failure to seek placement with a paternal relative because she did not establish prejudice.

CASE DETAILS

COURT	Court of Appeals of Ohio, Twelfth Appellate District, Butler County
WRITING FOR THE COURT	Melena S. Siebert; Robert A. Hendrickson, Presiding Judge; Mike Powell, Judge; Melena S. Siebert, Judge
JURISDICTION	Ohio Court of Appeals, Twelfth District, Butler County
DECIDED	April 13, 2026
DOCKET	CA2025-11-124
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed a juvenile court judgment granting permanent custody of her child to the Butler County Department of Jobs and Family Services, challenging the judgment as against the manifest weight of the evidence and alleging ineffective assistance of trial counsel.
STANDARD OF REVIEW	A permanent-custody decision is generally reviewed for sufficient credible evidence, but may be reversed if it is against the manifest weight of the evidence. The reviewing court weighs the evidence and reasonable inferences, considers witness credibility, and asks whether the factfinder clearly lost its way and created a manifest miscarriage of justice. Ineffective-assistance claims are evaluated under the Strickland deficient-performance and prejudice standard.

PRECEDENTIAL VALUE

Published opinion

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QUESTIONS PRESENTED

1. Whether the juvenile court's award of permanent custody to the Agency was against the manifest weight of the evidence.
2. Whether Mother received ineffective assistance of counsel when trial counsel did not file a motion seeking legal custody or placement of the child with a paternal relative.

HOLDINGS

1. The juvenile court's award of permanent custody to the Agency was not against the manifest weight of the evidence because the evidence supported both that permanent custody was in the child's best interest and that at least one statutory legal circumstance for permanent custody existed.
2. The Agency was not required to make reasonable reunification efforts because Mother's prior involuntary termination of parental rights as to a sibling and her statutory abandonment of the child were reunification-termination factors.
3. A parent's successful completion of case-plan services does not dispositively establish entitlement to reunification or preclude an award of permanent custody.
4. Mother failed to establish ineffective assistance of counsel because she did not demonstrate a reasonable probability that the trial court would have granted a motion for placement with the paternal aunt.

KEY QUOTATIONS

“'Reasonable efforts' does not mean all available efforts. Otherwise, there would always be an argument that one more additional service, no matter how remote, may have made reunification possible.” (¶ 17)

“a parent's successful completion of the terms of a case plan is not dispositive on the issue of reunification, as the case plan is simply a means to a goal, but not the goal itself.” (¶ 45)

“Mother must demonstrate prejudice by showing 'there is a reasonable probability' that if her trial counsel had filed a motion for placement with the relative, the trial court would have granted that motion.” (¶ 52)

“Mother's improvement is notable and commendable, but contrary to Mother's testimony at trial, the Agency did not fail her and John (after her legal abandonment, it had no obligation to seek their reunification in the

first place).” (¶ 54)

FACTUAL BACKGROUND

Mother used illicit drugs during her pregnancy, and the child exhibited withdrawal symptoms after birth. The Agency obtained temporary custody, and Mother moved from Ohio to Rhode Island shortly afterward, remaining away for approximately five months without visiting or maintaining contact with the child; she later completed substance-abuse treatment and returned to Ohio. The child remained in the same foster placement throughout the proceedings, bonded with the foster family, and was eligible for the statutory twelve-of-twenty-two-month criteria. Although a paternal aunt passed a home study, no motion was filed seeking placement with her.

PROCEDURAL HISTORY

The Agency obtained temporary custody of the child shortly after his birth, and the juvenile court adjudicated him abused and dependent. The Agency later moved for permanent custody. A magistrate recommended granting the motion; the juvenile court overruled Mother’s objections and adopted the magistrate’s decision. The Twelfth District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Cansler, 2025-Ohio-2558, ¶ 1, fn. 1 (12th Dist.)
- In re A.S., 2019-Ohio-4127, ¶ 19 (12th Dist.)
- In re G.A., 2023-Ohio-643, ¶ 18 (12th Dist.)
- In re F.S., 2021-Ohio-345, ¶ 61 (12th Dist.)
- In re S.M., 2019-Ohio-198, ¶ 16 (12th Dist.)
- Eastley v. Volkman, 2012-Ohio-2179, ¶ 20
- In re R.K., 2021-Ohio-3074, ¶ 15 (12th Dist.)
- Stanley v. Illinois, 405 U.S. 645, 651-52 (1972)
- In re R.G.M., 2024-Ohio-2737, ¶ 16
- United States v. Stevens, 559 U.S. 460, 471 (2010)
- In re K.M., 2004-Ohio-4152, ¶ 23 (12th Dist.)
- In re S.H., 2020-Ohio-3499, ¶ 13 (12th Dist.)
- In re Thompson, 2001 WL 424044, *6 (10th Dist. Apr. 26, 2001)
- In re M.G., 2023-Ohio-1316, ¶ 44 (12th Dist.)
- In re E.B., 2010-Ohio-1122, ¶¶ 19-20 (12th Dist.)
- In re K.P., 2022-Ohio-1347, ¶ 17 (12th Dist.)
- In re M.H., 2022-Ohio-48, ¶ 35 (12th Dist.)
- In re A.J., 2019-Ohio-593, ¶ 24 (12th Dist.)

- In re J.B., 2023-Ohio-2454, ¶ 13 (12th Dist.)
- In re C.S., 2020-Ohio-4414, ¶ 16 (12th Dist.)
- In re J.B., 2023-Ohio-2454, ¶ 20 (12th Dist.)
- In re A.R., 2016-Ohio-4919, ¶ 18 (12th Dist.)
- 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 B.C., 2014-Ohio-4558, ¶ 20
- In re M.G., 2023-Ohio-1316, ¶ 53 (12th Dist.)
- In re L.J., 2015-Ohio-1567, ¶ 33 (12th Dist.)
- Strickland v. Washington, 466 U.S. 668, 687-692, 694 (1984)
- State v. Lloyd, 2022-Ohio-4259, ¶ 31
- In re Grooms, 2004-Ohio-6782, ¶ 22 (2d Dist.)

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