

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

In re T.W.

2026-Ohio-124 · No. 115158 · Decided January 15, 2026

SUMMARY

The Ohio Eighth District Court of Appeals affirmed the juvenile court’s judgment awarding permanent custody of T.W. to the Cuyahoga County Division of Children and Family Services and terminating the mother’s parental rights. The court held that the permanent-custody decision was supported by clear and convincing evidence and that the juvenile court did not abuse its discretion in denying a further continuance to explore a proposed legal custodian or potential planned permanent living arrangement.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Emanuella D. Groves, J.; Michelle J. Sheehan, A.J.; Kathleen Ann Keough, J.
JURISDICTION	Ohio Court of Appeals, Eighth Appellate District, Cuyahoga County
DECIDED	January 15, 2026
DOCKET	115158
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed a juvenile court judgment awarding permanent custody of T.W. to the Cuyahoga County Division of Children and Family Services and terminating Mother's parental rights.
STANDARD OF REVIEW	A denial of a continuance is reviewed for abuse of discretion. Permanent-custody findings and termination of parental rights are reviewed under the sufficiency-of-the-evidence and manifest-weight-of-the-evidence standards, depending on the argument presented. Under manifest-weight review, the appellate court weighs the evidence and reasonable inferences, considers witness credibility, and determines whether the factfinder clearly lost its way and created a manifest miscarriage of justice. A manifest-weight finding necessarily includes a finding that sufficient evidence supports the judgment.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the juvenile court abused its discretion by denying Mother's motion to continue the permanent-custody hearing so that a newly proposed legal custodian could be explored.
2. Whether clear and convincing evidence supported findings under R.C. 2151.414(E)(1) and (4) that T.W. could not or should not be placed with Mother within a reasonable time.
3. Whether clear and convincing evidence supported the determination under R.C. 2151.414(D)(1) that permanent custody was in T.W.'s best interest.
4. Whether extending temporary custody to allow consideration of a planned permanent living arrangement or another legal custodian would better serve T.W.'s best interests.

HOLDINGS

1. The juvenile court did not abuse its discretion in denying Mother's motion to continue the permanent-custody hearing.
2. Sufficiency and manifest weight of the evidence are the proper appellate standards for reviewing a juvenile court's permanent-custody and parental-rights termination decision, depending on the nature of the argument.
3. Clear and convincing evidence supported the juvenile court's findings under R.C. 2151.414(E)(1) and (4) that T.W. could not be placed with Mother within a reasonable time or should not be placed with her.
4. The juvenile court's determination that permanent custody was in T.W.'s best interest was supported by clear and convincing evidence and was not against the manifest weight of the evidence.

KEY QUOTATIONS

"Weighing the potential prejudice to Mother against the juvenile court's right to control its docket, the public's interest in the prompt and efficient dispatch of justice, and T.W.'s best interests and need for stability and permanency, we find that the juvenile court did not abuse its discretion in denying Mother's motion for continuance." (Section II.A)

"Accordingly, we hold that the juvenile court's award of permanent custody to CCDCFs is supported by sufficient evidence within the record and is not contrary to that evidence's manifest weight." (Section II.C.2)

FACTUAL BACKGROUND

T.W., a severely autistic and nonverbal fifteen-year-old, had previously been adjudicated dependent and placed in his maternal grandmother's legal custody. After the grandmother could no longer care for him and failed to make an alternative plan, T.W. was removed in August 2023 and remained continuously in CCDCFS custody, receiving residential services and making significant progress. Mother had a history of mental-health and substance-use concerns, failed to substantially comply with case-plan services, had limited contact with T.W., and had not established that she could meet his significant care needs. At the May 2025 dispositional hearing, Mother sought another continuance to explore a newly proposed legal custodian and to await T.W.'s eligibility for a planned permanent living arrangement.

PROCEDURAL HISTORY

CCDCFS filed a complaint seeking neglect or dependency adjudication and permanent custody after T.W. had been removed from his maternal grandmother's care and remained in CCDCFS custody. The juvenile court adjudicated T.W. dependent, denied Mother's final motion for a continuance, found by clear and convincing evidence that T.W. could not or should not be placed with Mother and that permanent custody was in his best interest, and awarded permanent custody to CCDCFS while terminating Mother's parental rights. The Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- In re C.W., 2020-Ohio-3189, ¶ 15 (8th Dist.)
- State v. Unger, 67 Ohio St.2d 65, 67 (1981)
- In re S.B., 2014-Ohio-4839, ¶ 43 (8th Dist.)
- Cleveland v. Washington, 2013-Ohio-367, ¶ 11 (8th Dist.)
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- In re C.K., 2019-Ohio-4167, ¶ 18 (8th Dist.)
- Vannucci v. Schneider, 2018-Ohio-1294, ¶ 22 (8th Dist.)
- In re I.N., 2021-Ohio-1406, ¶¶ 16-17
- In re K.H., 2022-Ohio-2588, ¶ 69 (8th Dist.)
- In re Z.C., 2023-Ohio-4703, ¶¶ 7-8, 13-18
- State v. Thompkins, 78 Ohio St.3d 380, 386-387 (1997)
- Eastley v. Volkman, 2012-Ohio-2179, ¶ 20
- In re M.T., 2024-Ohio-3111, ¶ 40 (8th Dist.)
- Troxel v. Granville, 530 U.S. 57, 65 (2000)
- In re Murray, 52 Ohio St.3d 155, 157 (1990)
- In re C.F., 2007-Ohio-1104, ¶ 28
- In re K.M., 2015-Ohio-4682, ¶ 15 (10th Dist.)

- In re Cunningham, 59 Ohio St.2d 100, 106 (1979)
- In re M.S., 2015-Ohio-1028, ¶ 7 (8th Dist.)
- In re Wise, 96 Ohio App.3d 619, 624 (9th Dist. 1994)
- In re L.W., 2017-Ohio-657, ¶ 21 (8th Dist.)
- In re N.B., 2015-Ohio-314, ¶ 67 (8th Dist.)
- In re A.R., 2020-Ohio-5005, ¶ 31 (8th Dist.)
- In re Bn.J., 2024-Ohio-2282, ¶ 39 (6th Dist.)
- In re L.K., 2022-Ohio-1857, ¶ 104 (6th Dist.)
- In re Y.F., 2024-Ohio-5605, ¶ 43 (8th Dist.)
- In re Ca.T., 2020-Ohio-579, ¶ 27 (8th Dist.)
- In re V.C., 2015-Ohio-4991, ¶ 42
- In re P.B., 2020-Ohio-4471, ¶ 92 (8th Dist.)
- In re J.B., 2013-Ohio-1704, ¶ 90 (8th Dist.)
- In re McKenzie, 1995 Ohio App. LEXIS 4618, 11 (9th Dist. Oct. 18, 1995)
- In re Schaefer, 2006-Ohio-5513, ¶ 56
- In re A.M., 2020-Ohio-5102, ¶ 31

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