

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

In re C.F.

2026-Ohio-1457 · No. 115689 · Decided April 23, 2026

SUMMARY

The Ohio Eighth District Court of Appeals affirmed the Cuyahoga County Juvenile Court’s judgment granting Cuyahoga County Division of Children and Family Services permanent custody of minor child C.F. and terminating the parental rights of Mother L.Y. The court addressed whether the permanent-custody decision was supported by sufficient evidence and was consistent with the manifest weight of the evidence, including the child’s best interests and the statutory requirements under R.C. 2151.414.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Sean C. Gallagher; Lisa B. Forbes; Timothy W. Clary
JURISDICTION	Ohio Court of Appeals, Eighth Appellate District, Cuyahoga County
DECIDED	April 23, 2026
DOCKET	115689
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed a juvenile court judgment adopting a magistrate's decision, denying the parents' motions for legal custody, granting the agency's motion for permanent custody, and terminating the parents' parental rights.
STANDARD OF REVIEW	Permanent-custody determinations are reviewed under the sufficiency-of-the-evidence and manifest-weight-of-the-evidence standards, depending on the nature of the challenge. Sufficiency tests the legal adequacy of the evidence. 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.
PRECEDENTIAL VALUE	Published

PARTIES

L.Y., Mother v. Cuyahoga County Division of Children and Family Services

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QUESTIONS PRESENTED

1. Whether the juvenile court's factual findings concerning Mother's parenting services, sobriety, and referral for a second substance-abuse assessment were supported by sufficient evidence.
2. Whether the juvenile court's determination that permanent custody was in C.F.'s best interest was against the manifest weight of the evidence.
3. Whether Mother's failure to object to factual findings in the magistrate's decision limited appellate review to plain error.

HOLDINGS

1. Under Juv.R. 40(D)(3)(b)(iv), a party who fails to object to a factual finding or legal conclusion in a magistrate's decision may not assign adoption of that finding or conclusion as error on appeal, except for plain error.
2. The evidence was legally sufficient to support the juvenile court's permanent-custody judgment, and any allegedly erroneous subsidiary factual finding would not require reversal where the judgment was independently supported by the remaining evidence.
3. The juvenile court's determination that permanent custody to CCDCFS was in C.F.'s best interest was supported by clear and convincing evidence and was not against the manifest weight of the evidence.

KEY QUOTATIONS

"The issue is not whether the parent has substantially complied with the case plan, but whether the parent has substantially remedied the conditions that caused the child's removal." (¶ 62)

"Following a thorough review of the record, having weighed the evidence and all reasonable inferences, and having considered the credibility of the witnesses, we cannot say that the juvenile court clearly lost its way and created such a manifest miscarriage of justice that its judgment must be reversed and a new trial ordered." (¶ 69)

FACTUAL BACKGROUND

C.F. was removed from Mother's care after she allowed Father to have contact with him in violation of a no-contact order entered after Father shot Mother in C.F.'s presence. The agency's case plan addressed Mother's parenting, mental-health, substance-abuse, domestic-violence, anger-management, and counseling issues.

Although C.F. was returned to Mother in October 2023 after initial progress, he was removed again in April 2024 after his behavior and mental-health needs deteriorated, Mother disrupted services and medication, and she failed to facilitate court-ordered visitation. Evidence at the permanent-custody hearing showed that C.F. was thriving in the care of his half-sister, J.F., while Mother had not substantially remedied the conditions leading to removal.

PROCEDURAL HISTORY

CCDCFS obtained temporary custody of C.F. after allegations of abuse and neglect, and C.F. was later adjudicated neglected. After C.F. was briefly returned to Mother's custody with protective supervision, he was removed again. The magistrate granted CCDCFS permanent custody after an evidentiary hearing; the juvenile court adopted that decision and overruled Mother's objections. The appellate court affirmed.

DISPOSITION

affirmed

CASES CITED

- In re Z.C., 2023-Ohio-4703, ¶¶ 7, 11, 13-14
- Cross v. Ledford, 161 Ohio St. 469 (1954), paragraph three of the syllabus
- State v. Thompkins, 78 Ohio St.3d 380, 386 (1997)
- In re T.R., 2025-Ohio-2531, ¶¶ 24-25
- In re S.M., 2025-Ohio-5144, ¶ 15
- Hamilton v. Hamilton, 2016-Ohio-5900, ¶ 8 (10th Dist.)
- Goldfuss v. Davidson, 79 Ohio St.3d 116 (1997), syllabus
- In re T.T., 2024-Ohio-2914, ¶ 17
- In re J.T., 2004-Ohio-5797, ¶ 36 (2d Dist.)
- In re N.B., 2015-Ohio-314, ¶¶ 53, 59 (8th Dist.)
- In re A.L., 2024-Ohio-1992, ¶ 31 (8th Dist.)
- In re Schaefer, 2006-Ohio-5513, ¶ 56
- In re R.M., 2024-Ohio-1885, ¶ 60
- In re J.B., 2013-Ohio-1704, ¶ 90 (8th Dist.)
- In re C.C., 2010-Ohio-780, ¶ 25 (8th Dist.)
- In re R.D., 2022-Ohio-4519, ¶ 59
- In re McKenzie, 1995 Ohio App. LEXIS 4618, *11 (9th Dist. Oct. 18, 1995)
- Eastley v. Volkman, 2012-Ohio-2179, ¶ 20
- In re T.W., 2026-Ohio-124, ¶ 44 (8th Dist.)

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