

COURT OF APPEALS OF OHIO, SECOND APPELLATE DISTRICT, CLARK COUNTY

In re Williams

2025-Ohio-5434 · No. 2025-CA-17 · Decided December 5, 2025

SUMMARY

The Ohio Second District Court of Appeals affirmed the trial court’s denial of Jami Williams’s motion to terminate a restriction prohibiting contact between her minor child and her boyfriend, a convicted sex offender. The court held that Jami had not established the required change in circumstances under R.C. 3109.04(E)(1)(a) and that, independently, permitting contact was not in the child’s best interest. The court concluded that the trial court did not abuse its discretion.

CASE DETAILS

COURT	Court of Appeals of Ohio, Second Appellate District, Clark County
WRITING FOR THE COURT	Michael L. Tucker; P.J. Epley; J. Huffman
JURISDICTION	Ohio Court of Appeals, Second Appellate District, Clark County
DECIDED	December 5, 2025
DOCKET	2025-CA-17
DISPOSITION	affirmed
PROCEDURAL POSTURE	Jami Williams appealed the Clark County Common Pleas Court's denial of her motion to terminate a custody condition prohibiting contact between her minor child and her boyfriend, a convicted sex offender.
STANDARD OF REVIEW	A trial court's ruling on a motion to modify parental rights and responsibilities is reviewed for abuse of discretion. A decision constitutes an abuse of discretion when it is unreasonable, arbitrary, or unconscionable.
PRECEDENTIAL VALUE	published
PARTIES	Jami Williams v. Shane Williams

TOPICS

- child custody
- family law procedure
- standard of review
- appellate procedure

PRACTICE AREAS

family law

child custody

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion under R.C. 3109.04 by denying Jami Williams's motion to remove the no-contact restriction without finding a qualifying change in circumstances.
2. Whether the trial court abused its discretion in finding that permitting contact between the child and Funderburg would not serve the child's best interests.

HOLDINGS

1. A prior decree allocating parental rights and responsibilities may not be modified unless facts arising since the decree, or facts previously unknown to the court, establish a change in circumstances of the child or the relevant parent and the modification is necessary to serve the child's best interests. The trial court did not abuse its discretion in finding that Jami failed to establish the required change in circumstances.
2. The trial court did not abuse its discretion in finding that contact between the child and Funderburg would not be in the child's best interests and in refusing to remove the no-contact restriction.

KEY QUOTATIONS

“The court shall not modify a prior decree allocating parental rights and responsibilities for the care of children unless it finds, based on facts that have arisen since the prior decree or that were unknown to the court at the time of the prior decree, that a change has occurred in the circumstances of the child, the child’s residential parent, or either of the parents subject to a shared parenting decree, and that the modification is necessary to serve the best interest of the child.” (¶ 9)

“Having reviewed the record, we conclude that the trial court’s decision is not unreasonable, arbitrary, or unconscionable. On the contrary, the decision is supported by a sound reasoning process.” (¶ 16)

FACTUAL BACKGROUND

Jami and Shane Williams dissolved their marriage in 2021, and Jami became the child's residential parent and legal custodian. After the dissolution, Jami dated Alan Funderburg, a registered sex offender convicted of gross sexual imposition involving his 13-year-old stepdaughter. The trial court imposed a condition requiring Jami to prevent any contact between Funderburg and the child, but Jami later sought to terminate the restriction after Funderburg's registration obligation expired. The trial court found no qualifying change in circumstances, questioned the credibility of Jami and Funderburg, and determined that contact would not be in the child's best interest.

PROCEDURAL HISTORY

Following the parties' 2021 dissolution, Jami Williams was designated the child's residential parent and legal custodian. After learning of Jami's relationship with Alan Funderburg, Shane Williams sought reallocation of parental rights; the trial court denied that motion but imposed a no-contact condition in a March 6, 2024 entry.

Jami later moved to terminate the restriction, and after an evidentiary hearing the trial court denied the motion on March 3, 2025, finding no qualifying change in circumstances and determining that contact would not serve the child's best interests. The appellate court affirmed.

DISPOSITION

affirmed

CASES CITED

- In the Matter of Z.L.A., 2025-Ohio-2355, ¶ 11 (2d Dist.)
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- Chaney v. Chaney, 2012-Ohio-626, ¶ 9 (2d Dist.)
- Musgrove v. Musgrove, 2011-Ohio-4460, ¶ 8
- AAAA Ents., Inc. v. River Place Community Redevelopment, 50 Ohio St.3d 157, 161 (1990)

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