

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, RICHLAND COUNTY

In re D.L.

2026-Ohio-295 · No. 2025 CA 00068 · Decided January 30, 2026

SUMMARY

The Fifth District Court of Appeals of Ohio affirmed the Richland County Juvenile Court’s decision granting Richland County Children Services permanent custody of two children and terminating the mother’s parental rights. The court held that the statutory grounds for permanent custody were supported by clear and convincing evidence, including the mother’s failure to remedy conditions leading to removal and, as to one child, the twelve-of-twenty-two-month provision. The court also upheld the juvenile court’s determination that permanent custody was in the children’s best interests.

CASE DETAILS

COURT	Ohio Court of Appeals, Fifth Appellate District, Richland County
WRITING FOR THE COURT	Kevin W. Popham; Craig R. Baldwin, P.J.; Kevin W. Popham, J.; David M. Gormley, J.
JURISDICTION	Ohio Court of Appeals, Fifth Appellate District
DECIDED	January 30, 2026
DOCKET	2025 CA 00068
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed the Richland County Court of Common Pleas, Juvenile Division's judgment overruling her objections to the magistrate's decision terminating her parental rights and awarding permanent custody of the children to Richland County Children Services.
STANDARD OF REVIEW	Permanent-custody determinations are reviewed under the sufficiency-of-the-evidence and/or manifest-weight-of-the-evidence standards depending on the arguments raised. Sufficiency is a legal question reviewed de novo. Under the clear-and-convincing-evidence burden, the appellate court asks whether the juvenile court had sufficient evidence to form a firm belief or conviction that the statutory requirements were met. Manifest-weight review examines the persuasive effect of the evidence, gives substantial deference to

credibility determinations, and is reversed only in the exceptional case where the evidence weighs heavily against the judgment.

PRECEDENTIAL VALUE

Published Ohio Court of Appeals opinion

PARTIES

Mother v. Richland County Children Services

TOPICS

termination of parental rights

parental rights

family law procedure

appellate procedure

standard of review

PRACTICE AREAS

family law

juvenile law

child welfare

QUESTIONS PRESENTED

1. Whether the juvenile court's findings under R.C. 2151.414(B)(1), including the twelve-of-twenty-two-month ground for Child 2 and the inability to place either child with Mother within a reasonable time, were supported by sufficient evidence and were not against the manifest weight of the evidence.
2. Whether awarding permanent custody of the children to Richland County Children Services was in the children's best interests under R.C. 2151.414(D).

HOLDINGS

1. The juvenile court correctly found that Child 2 had been in Richland County Children Services' temporary custody for more than twelve months of a consecutive twenty-two-month period when the permanent-custody motion was filed. That finding, combined with the best-interest determination, independently supported the permanent-custody award as to Child 2.
2. The juvenile court's determination that the children could not be placed with Mother within a reasonable time or should not be placed with her was supported by clear and convincing evidence and was not against the sufficiency or manifest weight of the evidence.
3. The juvenile court's determination that permanent custody to Richland County Children Services was in the children's best interests was supported by competent, credible evidence and was not against the manifest weight or sufficiency of the evidence.

KEY QUOTATIONS

“Because permanent termination of parental rights has aptly been described as “the family law equivalent of the death penalty,” parents must be afforded every procedural and substantive protection the law allows.” (¶ 25)

“A case plan is a means to an end, not the end itself.” (¶ 42)

“Because the evidence in the record supports the trial judge’s judgment, we overrule Appellant-Mother’s assignment of error and affirm the decision of the Richland County Court of Common Pleas, Juvenile Division.” (¶ 58)

FACTUAL BACKGROUND

The children, both of whom have severe autism and significant special needs, were removed from the parents' custody after years of unsafe and unsanitary housing, unstable living arrangements, unmet medical and developmental needs, and refusal to engage in required services. Mother repeatedly refused mental-health counseling and autism-specific parenting services, failed to complete parenting education, and did not remedy the hazardous home conditions or comply with medical recommendations. After removal, both children made substantial and sustained gains in structured placements, while witnesses observed behavioral regression following parental visits.

PROCEDURAL HISTORY

Richland County Children Services filed dependency, neglect, and abuse complaints in 2020. After protective supervision, temporary custody changes, case-plan services, and the parents' continued noncompliance, the agency moved for permanent custody in July 2024. The magistrate granted permanent custody to the agency on April 14, 2025; the juvenile court overruled Mother's objections and adopted that decision on August 28, 2025. The Fifth District affirmed.

DISPOSITION

affirmed

CASES CITED

- In re Murray, 52 Ohio St.3d 155, 157 (1990)
- Stanley v. Illinois, 405 U.S. 645 (1972)
- Santosky v. Kramer, 455 U.S. 745, 753 (1982)
- In re Smith, 77 Ohio App.3d 1, 16 (6th Dist. 1991)
- In re Z.C., 2023-Ohio-4703
- State v. Walker, 2016-Ohio-8295, ¶ 30
- State v. Jordan, 2023-Ohio-3800, ¶ 13
- State v. Thompkins, 78 Ohio St.3d 380, 386-387 (1997)
- In re Estate of Haynes, 25 Ohio St.3d 101, 103-104 (1986)
- In re L.A., 2024-Ohio-3436, ¶ 59 (5th Dist.)
- Eastley v. Volkman, 2012-Ohio-2179, ¶¶ 19, 21
- Seasons Coal Co. v. Cleveland, 10 Ohio St.3d 77, 80 (1984)
- In re Dalton, 2007-Ohio-5805 (5th Dist.)
- In re K.C., 2024-Ohio-2081, ¶¶ 45, 56 (10th Dist.)
- In re C.W., 2004-Ohio-6411, ¶ 22
- In re Calhoun, 2008-Ohio-5458 (5th Dist.)
- In re William S., 75 Ohio St.3d 95 (1996)
- In re J.L., 2004-Ohio-6024, ¶ 20 (8th Dist.)

- In re Summerfield, 2005-Ohio-5523 (5th Dist.)
- In re Schaefer, 2006-Ohio-5513, ¶ 56

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