# CAPTION: IN RE: S & W CHILDREN

**06-30-23**

APPEAL NOS.: C-230110

C-230122

TRIAL NO.: F09-1799Z

KEY WORDS: CHILDREN — PERMANENT CUSTODY — R.C. 2151.414(D)(1) — BEST INTEREST — AMERICANS WITH DISABILITIES ACT

SUMMARY:

The trial court’s best-interest determination was supported by sufficient evidence and not against the manifest weight of the evidence where the record reflects that the children have been in the temporary custody of the Hamilton County Department of Job and Family Services since October 2019 and have been steadfast in their refusal to interact with their parents or return to their care, father failed to complete case-plan services, and doubts remained as to mother’s ability to provide a legally secure placement for the children.

Where mother failed to raise any argument pertaining to the Americans with Disabilities Act in the trial court, she waived any such argument on appeal.

JUDGMENT: AFFIRMED

JUDGES: OPINION by ZAYAS, J.; CROUSE, P.J., and KINSLEY, J., CONCUR.