[Cite as *In re A.B.*, 2026-Ohio-4559.]

IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO

IN RE: A.B.	:	APPEAL NO. C-260167 TRIAL NO. F/13/0412 X
	:	
	:	*JUDGMENT ENTRY*
	:	
	:	

This cause was heard upon the appeal, the record, the briefs, and arguments.

For the reasons set forth in the Opinion filed this date, the judgment of the trial court is affirmed.

Further, the court holds that there were reasonable grounds for this appeal, allows no penalty, and orders that costs be taxed under App.R. 24.

The court further orders that (1) a copy of this Judgment with a copy of the Opinion attached constitutes the mandate, and (2) the mandate be sent to the trial court for execution under App.R. 27.

To the clerk:

Enter upon the journal of the court on 11/18/2026.

Pursuant to App.R. 30, the clerk is directed to send all parties, or their counsel if represented, a copy of the court's judgment and note such action on the docket.

By:_____
Administrative Judge

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	:	*O P I N I O N*
	:	
	:	

Appeal From: Hamilton County Juvenile Court

Judgment Appealed From Is: Affirmed

Date of Judgment Entry on Appeal: November 18, 2026

Blake P. Somers LLC, and *Blake P. Somers*, for Appellant Paternal Aunt,

McCaslin, Imbus & McCaslin, and *Christina S. Yager*, for Appellee Mother.

CROUSE, Presiding Judge.

{¶1} Appellant, the paternal aunt ("Aunt") of A.B., appeals from the trial court's entry overruling her objections to, and adopting, a magistrate's decision denying her petition for nonparent visitation or companionship time with A.B.

{¶2} In three assignments of error, Aunt challenges the trial court's denial of her petition and argues that the trial court abused its discretion by imposing a blanket no-contact order between herself and A.B. While we do not doubt Aunt's love for A.B., on the record before us we find no abuse of discretion in the trial court's denial of Aunt's petition for nonparent visitation or companionship time or in its imposition of a no-contact order. For the reasons set forth below, we overrule Aunt's assignments of error and affirm the trial court's judgment.

I. Factual and Procedural History

{¶3} Aunt filed a petition for nonparent visitation or companionship time with A.B. in April 2024. The petition alleged that after A.B.'s parents divorced and entered a shared-parenting plan in 2013, Aunt had exercised much of the parenting time accorded to Father in the plan, and that she continued to exercise that parenting time after Father passed away in 2019. The petition further alleged that Mother cut off all contact between A.B. and Aunt in 2024, and that the cessation of contact was detrimental to A.B. and was not in A.B.'s best interest.

{¶4} In November 2024, while Aunt's petition was pending, a juvenile court magistrate ordered weekly phone or video calls between Aunt and A.B. On December 20, 2024, Mother filed a motion to suspend the calls.

{¶5} On that same date, Aunt filed a motion for the magistrate to conduct an in-camera interview with A.B. and to hold Mother in contempt for failing to comply with the magistrate's order that A.B. participate in weekly phone calls with Aunt.

{¶6} On February 11, 2025, the magistrate issued an order denying Mother's motion to suspend the phone calls. But the order modified the magistrate's previous order regarding the phone calls to provide that if A.B. protests a call going forward, the call shall not occur. The order also stated that the magistrate had conducted an in-camera interview with A.B.

{¶7} The following evidence was presented at a two-day trial before the magistrate on Aunt's petition. Aunt exercised the parenting time that had been accorded to Father in the shared-parenting plan both before and after Father's death in 2019. Aunt cared for A.B. on weekends and holidays, and A.B. regularly went on out-of-state family vacations with her. Aunt also often provided transportation for Mother, A.B., and Mother's other child, L.H. Mother was not always comfortable with this arrangement and felt that Aunt often overstepped. Despite Mother's concerns, she continued to allow A.B. to see Aunt after Father's death as long as A.B. was willing. Mother ultimately decided to eliminate A.B.'s visitation time with Aunt after learning from an attorney that she was not legally required to allow it and after she learned of A.B.'s wishes on the matter.

{¶8} A.B., 13 years old at the time of trial, has been diagnosed with ADHD, mixed-receptive-and-speech disorder, and anxiety. While A.B. completed various childhood milestones at an early age, she started to regress on these accomplishments when she was two and a half. She began to have difficulty recalling the alphabet and counting, among other tasks. A.B. started to exhibit manic behaviors at age eight. Her manic behaviors had worsened in the year preceding the trial, and they included talking to herself and hearing voices. Mother attributed A.B.'s behavior to the fact that she did not want to see Aunt.

{¶9} At the time of trial, Mother was unemployed because of her own health

issues and because she needed to always be available for A.B. Mother herself suffered from anxiety, ADHD, and a panic disorder.

{¶10} A.B. was not resistant to visits with Aunt as a child, but in 2023 she began to go back and forth on whether she wanted to see Aunt. A.B. began to throw fits when told it was time to visit with Aunt, including throwing herself on the ground, pulling her hair, and stomping. A.B. never expressed her equivocation regarding visitation directly to Aunt. Rather, A.B.'s wishes were communicated through Mother. Aunt stated that at no point in the fall of 2023 did Mother directly express any concerns regarding A.B. spending time with her. Sometime in 2023, Mother told Aunt that A.B. was going to stay home with Mother for the holidays, rather than visit with Aunt. According to Mother, Aunt became upset, insulted Mother, and called her names.

{¶11} Aunt's visitation with A.B. ceased in January 2024. After Aunt's last visit with A.B., two incidents occurred in February and March 2024, both involving Aunt showing up at A.B.'s school. Aunt and Mother each testified about these incidents.

{¶12} According to Aunt, the day before the February incident, she had been driving Mother, A.B., and L.H. to an appointment. In Mother's presence, she asked A.B. if A.B. would like her to bring cupcakes to school the following day, which was Valentine's Day. A.B. said yes. Aunt explained that this was a tradition between her and A.B., and that Mother had never previously objected to it. Aunt testified that she received a text message from Mother the day after she dropped off the cupcakes asking her not to visit A.B. at school because it was distracting to A.B. With respect to the March incident, Aunt testified that she was in the area near A.B.'s school on March 6. Because it had been raining for a week, and because A.B.'s rain boots had been at Aunt's house for several months, Aunt decided to drop off the boots to A.B. while she

was at school. Aunt asserted that she was invited into the school through a side door by a teacher, and that she was contacted by the school later the same day and told not to return. Aunt also testified that Mother sought a domestic violence civil protection order against her following this incident, but it was denied.

{¶13} Mother, in turn, testified that after the February incident, A.B. had returned home from school upset that Aunt had shown up with cupcakes. Mother stated that she was unaware that Aunt had planned to do this, and that she messaged Aunt asking her not to go to A.B.'s school again. Mother testified that after the March incident when Aunt again showed up at A.B.'s school, A.B. began cutting herself.

{¶14} Although Aunt reached out to Mother multiple times after these incidents, Mother would not allow her to see A.B. In June 2024, Aunt stopped by Mother's house to drop off clothing for A.B. Aunt arrived at the same time that A.B. exited from her school bus. Mother shielded A.B. from Aunt and ushered A.B. and her sister into their apartment. Against Mother's wishes, Aunt attempted to hand the clothing bag to A.B., followed A.B. up the stairs to the apartment, and hugged A.B. Mother called the police, who came to the scene and spoke with Aunt.

{¶15} According to Mother, after this incident, A.B. began using purse straps, pant legs, pillowcases, charging cords, and sheets to choke herself. Mother testified that A.B. would hide things around her room that she could use to harm herself.

{¶16} Aunt and A.B. last spoke during a court-mandated phone call on November 17, 2024. According to Aunt, A.B. seemed talkative and happy on the call, but Mother took the phone from A.B. and told Aunt not to discuss certain things, such as Thanksgiving plans, because it upset A.B. For the next 15 weeks, Aunt called every Sunday and was told by Mother that A.B. did not wish to speak to her.

{¶17} Mother testified that only one phone call with Aunt took place because,

when given the choice, A.B. elected not to engage in any further calls. Mother's testimony addressed the impact of the telephone calls with Aunt on A.B.'s mental health. She stated that after she told A.B. about the court-ordered weekly calls, A.B. began choking herself two-to-three times per day and her medications had to be increased. A.B. was hospitalized at Cincinnati Children's Hospital Medical Center ("CCHMC") on December 10, 2024, and was released one week later. According to Mother, the doctors at the hospital had observed signs of schizophrenia in A.B., including the fact that she saw and heard things that were not there. Mother testified that A.B. had "mellowed out" after being released from the hospital, but that her hallucinations increased and she reverted to old behavior when she had to participate in the in-camera interview with the court. Mother then provided an in-depth account of A.B.'s hallucinations and stated that A.B.'s evaluation for childhood-onset schizophrenia was ongoing.

{¶18} Aunt testified that she had concerns for A.B.'s well-being because A.B. was being isolated from Aunt and other paternal family members, had started a new school, and Mother was incorrectly informing A.B.'s doctors that Aunt and Father had mental illnesses. According to Aunt, Mother will not respond to her messages but did allow A.B. to see another aunt on the paternal side of her family. Aunt contended that she had no concerns about A.B.'s mental health prior to 2024, that A.B. has never harmed herself while in Aunt's care, that A.B. was never depressed while she was in Aunt's care, and that Mother never told Aunt that A.B. was exhibiting these behaviors. Aunt believed A.B.'s isolation from her paternal family members caused the behaviors.

{¶19} Mother explained that A.B. has a difficult time expressing her wants and needs, but that she is able to do so with Mother. Mother contended that forcing A.B. to spend time with Aunt is physically and mentally painful for A.B., and that it results

in self-harm. According to Mother, even the mention of Aunt upsets A.B. Mother stated that A.B. is easily influenced, but that she is not influenced by Mother's distrust of Aunt because Mother is careful not to push her feelings for Aunt onto A.B. Mother further testified that she and her daughters had to move in March 2025 so that A.B. could feel safe, but that A.B. was still paranoid that Aunt would find them. Mother also stated that she would not be open to a reintroduction plan for Aunt and A.B., because it would be potentially harmful for A.B.

{¶20} Aunt presented testimony from three witnesses about her relationship with A.B. A paternal cousin testified that A.B. always appeared comfortable and content with Aunt, that Aunt was a positive influence in A.B.'s life, and that Aunt always respected Mother's wishes as a parent. This cousin also testified that after she had to cancel a planned outing with A.B., which Mother had approved, Mother stopped responding to her attempts at contact and eventually blocked her. Another paternal aunt testified that Mother had allowed her to visit with A.B. around Easter 2024. She testified that A.B. seemed comfortable and happy during the visit and had been happy to see her, but that she had felt intimidated by the way that Mother looked at her as she observed the visit. This witness also testified that Aunt was a positive influence on A.B.'s life. Last, Aunt's friend C.W. testified that A.B. is safe and happy with Aunt, that the two were very close, and that Aunt respects Mother's judgment.

{¶21} K.V., a multiple disabilities teacher at A.B.'s high school, testified about the incident in March 2024 when Aunt visited A.B. at school. She stated that she found A.B. and Aunt sitting together in the hallway outside her classroom and heard A.B. tell Aunt that Aunt was not supposed to be at the school. K.V. testified that she was unsure how Aunt had entered the school. She stated that she had not been worried about A.B.'s safety with Aunt, but that A.B. seemed confused.

{¶22} Mother's friend S.F. testified that Mother and A.B. have a close relationship and that, since entering junior high, A.B. has become withdrawn and quiet and her mental state has worsened.

{¶23} The final witness to testify was Dr. Caitlyn Garcia, an outpatient psychiatrist with CCHMC, who had begun treating A.B. in January 2025. Dr. Garcia testified that there was no evidence that Aunt had caused direct trauma to A.B. But she explained that when a child's wishes are not respected and they are not able to decide with whom they have contact, it can result in secondary trauma. Dr. Garcia stated, "as the level of contact between [A.B.]'s aunt and [A.B.] increases, her clinical picture seems to be worsening." Dr. Garcia further described A.B. as paranoid about people knowing where she lives, disorganized, fearful, and disheveled. Dr. Garcia stated that A.B. needed residential treatment, and that her medications were not currently effective. She explained that the goal was to give A.B. therapy that would aid her in explaining what she finds so distressing about Aunt. Dr. Garcia further stated, "at this point I don't know if it is really productive to continue the visitation considering how much worse [A.B.] seems to be getting with ongoing visitation."

{¶24} Dr. Garcia testified that A.B. has PTSD stemming from her communication with Aunt, and that she has no reason to believe the recent lack of communication between A.B. and her paternal family members is a cause of A.B.'s trauma. She explained, "as contact has been limited with video chats and calls, she appears to improve." Dr. Garcia testified that if she was able to discover why Aunt is so distressing for A.B., then potentially family therapy or supervised visitation could be possible. She concluded, "I think until we can figure out why [A.B.] suddenly stopped wanting to have visitation, I think it will continue to be very distressing for her to have visitation."

{¶25} During the trial, Mother filed a second motion to suspend phone calls between Aunt and A.B. The motion asserted, in accordance with the testimony offered at trial, that A.B.'s mental health deteriorated after the calls were initiated and she was admitted to a psychiatric unit at CCHMC. The magistrate issued an order granting Mother's motion.

{¶26} The magistrate issued a decision denying Aunt's petition for nonparent visitation or companionship time on July 7, 2025. The magistrate considered the factors set forth in R.C. 3109.051(D) and determined that an award of companionship time to Aunt was not in A.B.'s best interest. Aunt filed objections to the magistrate's decision.

{¶27} On September 29, 2025, Mother filed a motion for an interim order that Aunt have no contact with A.B. during the pendency of the objections. The motion alleged that Aunt had shown up at A.B.'s school on the first day of school and had been ordered to leave by a school official. It further alleged that Aunt and other paternal family members had shown up at Mother's house on September 19, 2025, and shouted profanities and banged on Mother's door. The trial court issued an entry granting Mother's motion.

{¶28} On March 4, 2026, while the trial court's ruling on objections was still pending, Mother filed a motion for an ongoing order that Aunt have no contact with A.B.

{¶29} On March 17, 2026, the trial court denied Aunt's objections and adopted the magistrate's decision. In its entry, the court also granted Mother's motion for an ongoing order that Aunt have no contact with A.B., stating, "Given the significant challenges facing the child, the Court finds that prohibiting [Aunt] from having contact with the child is in the child's best interest."

{¶30} Aunt now appeals.

II. Nonparent Visitation and Companionship Time

{¶31} In her first assignment of error, Aunt argues that the trial court abused its discretion "by concluding that [her] relationship with A.B. was detrimental without findings sufficient to support complete severance of all contact." And she argues in her second assignment of error that the trial court abused its discretion by failing to properly apply R.C. 3109.11 and 3109.051(D) and by failing to meaningfully consider the longstanding relationship between herself, A.B., and the paternal family. We address these assignments of error together.

{¶32} A trial court is authorized to grant visitation or companionship time to a nonparent if it is in the best interest of the child. *See* R.C. 3109.11 and 3109.051(B). We review a trial court's decision to grant or deny a nonparent's motion for visitation or companionship time for an abuse of discretion. *In re Flynn*, 2021-Ohio-4456, ¶ 15 (10th Dist.). An abuse of discretion occurs when "a court exercis[es] its judgment, in an unwarranted way, in regard to a matter over which it has discretionary authority." *Johnson v. Abdullah*, 2021-Ohio-3304, ¶ 35. It is "more than a mere error of judgment," and "implies that the court's attitude is arbitrary, unreasonable, or unconscionable." (Cleaned up.) *Gipson v. Mercy Health Sys. of S.W. Ohio*, 2025-Ohio-2208, ¶ 12 (1st Dist.).

{¶33} In determining whether a grant of visitation or companionship time to a nonparent is in a child's best interest, a trial court should consider the factors set forth in R.C. 3109.051(D), including, as relevant to this appeal:

> (1) The prior interaction and interrelationships of the child with the child's parents, siblings, and other persons related by consanguinity or

affinity, and with the person who requested companionship or visitation . . .;

(2) The geographical location of the residence of each parent and the distance between those residences, and if the person is not a parent, the geographical location of that person's residence and the distance between that person's residence and the child's residence;

(3) The child's and parents' available time, including, but not limited to, each parent's employment schedule, the child's school schedule, and the child's and the parents' holiday and vacation schedule;

(4) The age of the child;

(5) The child's adjustment to home, school, and community;

(6) If the court has interviewed the child in chambers . . . regarding the wishes and concerns of the child as to . . . companionship or visitation by the grandparent, relative, or other person who requested companionship or visitation . . ., the wishes and concerns of the child, as expressed to the court;

(7) The health and safety of the child;

(8) The amount of time that will be available for the child to spend with siblings;

(9) The mental and physical health of all parties;

(10) Each parent's willingness to reschedule missed parenting time and to facilitate the other parent's parenting time rights, and with respect to a person who requested companionship or visitation, the willingness of that person to reschedule missed visitation;

. . .

> (15) In relation to requested companionship or visitation by a person other than a parent, the wishes and concerns of the child's parents, as expressed by them to the court;
>
> (16) Any other factor in the best interest of the child.

{¶34} The magistrate thoroughly considered each of these factors in her decision, which was adopted by the trial court. Contrary to Aunt's assertion, the magistrate did not fail to consider the longstanding relationship between Aunt and A.B. Rather, the magistrate found that Aunt had historically been involved in the care of A.B., and she set forth the various activities Aunt and A.B. had engaged in together.

{¶35} The magistrate further found that A.B. was currently experiencing significant mental-health challenges. The magistrate noted A.B.'s physical and verbal resistance to visiting Aunt, and she found that Aunt's unannounced visits at A.B.'s home and school caused A.B. to increase her attempts at self-harm, which included choking and cutting herself.

{¶36} The magistrate discussed Dr. Garcia's opinion that A.B. experienced secondary trauma when her wishes regarding contact with Aunt were not respected and that A.B.'s clinical picture worsened as her contact with Aunt increased. And the magistrate noted Dr. Garcia's statement that A.B. could not verbalize exactly what she found so distressing about Aunt because of her low I.Q., but that Dr. Garcia attributed A.B.'s decline in mental-and-behavioral health to changes in levels of visitation with Aunt.

{¶37} The magistrate ultimately determined that a grant of visitation time with Aunt was not in A.B.'s best interest, finding that the detrimental impact on A.B. of such visitation had been established. In denying Aunt's objections to the magistrate's decision, the trial court acknowledged that the record did not show that

Aunt had sought to cause, or had intentionally caused, harm to A.B. Regardless, it found that, for reasons A.B. was unable to disclose, Aunt's presence was harmful to A.B.

{¶38} We find no abuse of discretion in the trial court's determination that a grant of visitation or companionship time to Aunt was not in A.B.'s best interest. We agree that the record contains no indication that Aunt took any specific action that caused A.B.'s distress or that Aunt harmed or attempted to harm A.B. The record demonstrates that Aunt cares greatly for A.B. and values their relationship.

{¶39} Nonetheless, the record demonstrates that contact with Aunt caused A.B. great distress. A.B. began cutting herself after Aunt showed up at her school in March 2024. A.B.'s attempts at self-harm turned to choking herself after the June 2024 incident when Aunt showed up at A.B.'s home. After the phone calls with Aunt were initiated in November 2024, A.B.'s attempts at self-harm increased and she was hospitalized. When contact with Aunt ceased, A.B.'s condition "mellowed," until she had to participate in the in-camera interview. The evidence presented at trial supported Dr. Garcia's opinion that A.B.'s distress increased as contact with Aunt increased.

{¶40} On this record, we find no abuse of discretion in the trial court's determination that a grant of visitation or companionship time to Aunt was not in A.B.'s best interest, and we overrule Aunt's first and second assignments of error.

{¶41} In her third assignment of error, Aunt argues that the trial court abused its discretion by imposing a blanket no-contact order without considering less restrictive alternatives or explaining why complete severance of a longstanding familial relationship was necessary. Aunt argues that the trial court could have ordered supervised visitation or family therapy.

{¶42} The record reflects that A.B. suffered extreme mental distress and engaged in self-harming behaviors. Dr. Garcia testified that contact with Aunt was the cause of A.B.'s distress, while acknowledging that A.B.'s low I.Q. prevented her from being able to verbalize precisely what about Aunt caused this distress. Dr. Garcia further testified that A.B.'s clinical picture appeared to worsen as her contact with Aunt increased and that it was not productive to continue visitation with Aunt. She unequivocally stated that "until we can figure out why [A.B.] suddenly stopped wanting to have visitation, I think it will continue to be very distressing for her to have visitation." Dr. Garcia explained that A.B. needed a period of stability so that she could more clearly explain what she found distressing about visiting with Aunt.

{¶43} Given Dr. Garcia's testimony, we find no abuse of discretion in the trial court's imposition of a no-contact order between Aunt and A.B. Aunt's third assignment of error is overruled.

III. Conclusion

{¶44} Having overruled Aunt's assignments of error, we affirm the trial court's judgment.

Judgment affirmed.

BOCK and **MOORE, JJ.,** concur.