

COURT OF APPEALS OF OHIO

**EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA**

IN RE Z.C., ET AL.	:	No. 116298
Minor Children	:	
[Appeal by D.C., Father]	:	

JOURNAL ENTRY AND OPINION

JUDGMENT: AFFIRMED

RELEASED AND JOURNALIZED: September 17, 2026

Civil Appeal from the Cuyahoga County Court of Common Pleas
Juvenile Division
Case Nos. FA25-102857 and FA25-102858

Appearances:

D.C., *pro se*.

DEENA R. CALABRESE, J.:

{¶ 1} D.C. (“Father”) appeals the juvenile court’s order adopting the Office of Child Support Services’ (“OCSS”) administrative order for the payment of child support. For the reasons stated below, we affirm the juvenile court’s order adopting the administrative order for the payment of child support.

I. Relevant Facts and Procedural History

{¶ 2} Father and J.W. (“Mother”) share two minor children, Z.C. and D.C. Jr. Father and Mother were never married.

{¶ 3} On November 18, 2025, a magistrate issued a decision following a hearing on Father’s application for shared parenting. The magistrate’s decision granted Father’s application for shared parenting and adopted the shared-parenting plan agreed to by Father and Mother. The attached shared-parenting plan indicated that “[t]here is an existing child support order.” On the same date, the magistrate scheduled a hearing pursuant to R.C. 3119.24 to address child support. The order stated, in relevant part:

Pursuant to ORC 3119.24, this matter is set for a hearing on the issue of Child Support. Parties ARE HEREBY ORDERED to bring with them any and all documents as it relates to their financial status including but not limited to W2’s, pay stubs, and tax returns.

(Emphasis in original.) The magistrate’s decision also ordered the OCSS to “file any and all administrative orders for this family at least two weeks before the scheduled hearing.”

{¶ 4} On December 1, 2025, the OCSS submitted an administrative order for child support for the family. The order determined that Father had a child support obligation to Mother in the amount of \$617.17 per month plus a cash medical support obligation of \$69.90 per month.

{¶ 5} On December 3, 2025, the juvenile court adopted the magistrate’s decision granting the shared-parenting plan.

{¶ 6} On December 18, 2025, a magistrate held a hearing to address child support following the shared-parenting-plan agreement. Father and Mother both appeared via Zoom. Mother requested that the existing child-support order stay in

place. The magistrate indicated that a child-support order was already in place, that neither party had filed a motion to modify child support, and that Father did not present any evidence at the hearing in support of a modification of child support.

{¶ 7} On December 23, 2025, the magistrate issued a magistrate’s decision. The magistrate’s decision adopted the administrative child-support order maintaining the child-support order that was already in place. The decision stated that

[t]he [c]ourt notes that the adopt[ion] of the [a]dministrative [o]rder DOES NOT inhibit or otherwise prevent any party from filing any [m]otions to [m]odify [s]upport. The [c]ourt notes at this time there are not [c]hild [s]upport related [m]otions pending.

(Emphasis in original.)

{¶ 8} On December 31, 2025, Father filed a notice of appeal of the magistrate’s decision. *See In re D.C.*, 8th Dist. Cuyahoga No. 116137. Additional appellate and juvenile court filings ensued but are not relevant here.

{¶ 9} On February 20, 2026, the juvenile court reissued a previous order adopting the administrative order. The order stated that “[t]he Court notes at this time there are not Child Support related Motions pending.”

{¶ 10} This appeal followed. Father raises the following assignments of error for our review:

1. The trial court abused its discretion and committed reversible error by adopting an administrative child support order without recalculating support after a material change in circumstances, namely the granting of shared parenting, in violation of R.C. 3119.02 and controlling Ohio Supreme Court precedent.

2. The trial court erred as a matter of law by failing to apply and analyze the requirements of R.C. 3119.24 governing shared parenting arrangements, including whether the guideline child support amount was unjust or inappropriate in light of Appellant's parenting time exceeding ninety (90) overnights annually.

3. The trial court abused its discretion by failing to consider the parties' current financial circumstances, including Appellant's documented unemployment, and by failing to determine child support based on actual income as required under R.C. Chapter 3119 and applicable case law.

4. The trial court erred by failing to apply the mandatory modification standard under R.C. 3119.79, where recalculation of child support would have resulted in a deviation exceeding ten percent (10%), thereby constituting a substantial change in circumstances requiring modification.

{¶ 11} While Father filed an appellate brief, Mother did not.

II. Law and Analysis

{¶ 12} As a preliminary matter, we note that Father is a pro se litigant. Father's status as a pro se litigant does not excuse any deficiencies in the appeal or in the case below. In Ohio, "pro se litigants are held to the same standard as all other litigants: they [] must accept the consequences of their own mistakes." *Bikkani v. Lee*, 2008-Ohio-3130, ¶ 29 (8th Dist.), citing *Kilroy v. B.H. Lakeshore Co.*, 111 Ohio App.3d 357, 363 (8th Dist. 1996).

{¶ 13} For ease of analysis, we consider Father's assignments of error together. Each of Father's assignments of error contends that the trial court erred when it adopted the OCSS's administrative order for child support without any recalculation or deviation.

{¶ 14} The standard of review in matters concerning child support is for an abuse of discretion. *Booth v. Booth*, 44 Ohio St.3d 142, 144 (1989). However, Juv.R. 40(D)(3)(b)(iv) states that

[e]xcept for a claim of plain error, a party shall not assign as error on appeal the court's adoption of any factual finding or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Juv.R. 40(D)(3)(a)(ii), unless the party has objected to that finding or conclusion as required by Juv.R. 40(D)(3)(b).

See also Civ.R. 53(D)(3)(a)(iii). Therefore, where an appealing party has failed to file objections to a magistrate's decision with the juvenile court, "our review is limited to plain error[.]" *In re S.M.*, 2025-Ohio-5144, ¶ 13 (8th Dist.). In this case, Father did not file objections to the magistrate's decision, opting to file this appeal instead. Thus, we review for plain error.

{¶ 15} The issuance of a shared-parenting plan triggers an evaluation of child support. *See* R.C. 3119.24(A). R.C. 3119.24(A)(1) specifically states that "[a] court that issues a shared parenting order in accordance with section 3109.04 of the Revised Code shall order an amount of child support to be paid under the child support order that is calculated in accordance with the schedule and with the worksheet[.]" In addition, R.C. 3119.24 outlines factors for the court to consider when calculating deviations or reductions from the amount of child support calculated pursuant to the worksheet. Further, R.C. 3119.05 mandates that the court and OCSS rely on specific documents when calculating child support. R.C. 3119.05 specifically states as follows:

When a court computes the amount of child support required to be paid under a court child support order or a child support enforcement agency computes the amount of child support to be paid pursuant to an administrative child support order, all of the following apply:

(A) The parents' current and past income and personal earnings shall be verified by electronic means or with suitable documents, including, but not limited to, paystubs, employer statements, receipts and expense vouchers related to self-generated income, tax returns, and all supporting documentation and schedules for the tax returns.

R.C. 3119.05(A). “R.C. 3119.05(A) places the burden on parents to verify their income with documentation, not on the court to verify income.” *In re M.P.*, 2025-Ohio-5223, ¶ 13 (8th Dist.), quoting *Desensi v. Eppley*, 2025-Ohio-2471, ¶ 1 (5th Dist.).

{¶ 16} In this case, the juvenile court's child-support determination was based on the evidence available at the hearing. Father and Mother testified that there was an existing child-support order in place. Although the magistrate's order scheduling the hearing stated that the parties were to “bring with them any and all documents as it relates to their financial status including but not limited to W2's, pay stubs, and tax returns[,]” neither Father nor Mother presented any evidence at the hearing. Thus, the administrative order filed by OCSS provided the only information for the juvenile court to consider when it determined whether a deviation was appropriate. There is nothing in the record or in Father's appellate brief to indicate that OCSS's administrative order does not support the juvenile court's determination to maintain the existing child-support order. Therefore, we find no plain error in the juvenile court's order.

{¶ 17} We also note that Father did not request a modification of child support. There are two methods to seek modification of an existing child-support order. First, a party can file a motion pursuant to R.C. 3119.79(A), which directs the court to recalculate child support “[i]f an obligor or obligee under a child support order requests that the court modify the amount of child support required to be paid pursuant to the child support order” (Emphasis added.) *Id.* Juv.R. 19 states, in relevant part, that “[a]n application to the court for an order shall be by motion. A motion other than one made during trial or hearing shall be in writing unless the court permits it to be made orally.”

{¶ 18} Second, a party can seek to modify an existing child-support order by first requesting an administrative review through OCSS. *See* R.C. 3119.60, 3119.61, and 3119.76. Once the request has been made, then Ohio Adm.Code 5101:12-60-05 describes the procedures for the administrative review and adjustment of child-support orders.

{¶ 19} This court has previously found that “[q]uestions not addressed by the trial court generally will not be ruled on by the appellate court.” (Citations omitted.) *You v. N.E. Ohio Med. Univ.*, 2020-Ohio-4661, ¶ 30 (10th Dist.). *See also State v. Peagler*, 76 Ohio St.3d 496, 501 (1996) (“A court of appeals cannot consider the issue for the first time without the trial court having had an opportunity to address the issue.”), *Jefferis Real Estate Oil & Gas Holdings, L.L.C. v. Schaffner Law Offices, L.P.A.*, 2018-Ohio-3733, ¶ 43 (7th Dist.) (“[W]e refrain from deciding the claim for which the trial court did not issue a ruling.”). *State v. Fletcher*, 2023 Ohio App.

LEXIS 4687, *6 (8th Dist. Nov. 16, 2023) (“We will not consider the propriety of the motion for the first time on appeal. We therefore disregard the second assignment of error and dismiss this portion of the appeal.”).

{¶ 20} In this case, Father never sought a modification of his child-support order by filing a motion with the juvenile court or by requesting a review with OCSS. The magistrate noted during the child-support hearing that neither party had filed a motion. Thus, there is no order regarding modification of child support for this court to review because a motion for modification of child support was never made with the trial court.

{¶ 21} For the reasons stated above, we find no plain error and Father’s assignments of error are overruled. Thus, the juvenile court’s order adopting OCSS’s administrative order for the payment of child support is affirmed.

It is ordered that the appellant pay the costs herein taxed.

The court finds there were reasonable grounds for this appeal.

It is ordered that a special mandate issue out of this court directing the common pleas court, juvenile division, to carry this judgment into execution.

A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

DEENA R. CALABRESE, JUDGE

EILEEN T. GALLAGHER, P.J., and
KATHLEEN ANN KEOUGH, J., CONCUR