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Thursday, August 20, 2015

Ohio Supreme Court Ruling Backs Summit County Children Services

Juvenile Courts Permitted to Hear Cases Based on Subject Instead of Venue

AKRON, Ohio (Thursday, August 20, 2015) – Summit County Prosecutor Sherri Bevan Walsh announced today that a ruling by the Ohio State Supreme Court gives local children services bureaus additional power when it comes to fighting for the rights of children.

“This ruling ensures children who bounce from home to home, and are not given what they need to survive, are protected. Children Services and our prosecutors fight to make sure these children do not fall through the cracks,” said Prosecutor Walsh. “I am very pleased with the Supreme Court’s decision and hope this will help in giving these children a brighter future.”

The Summit County Prosecutor’s Office filed an appeal with the state Supreme Court following a ruling by the Ninth District Court of Appeals. The Appeals Court sided with a Summit County mother who had an ongoing custody case with Summit County Children Services. In February of 2012, the Summit County Juvenile Court removed five children from the woman’s custody, for failing to give them adequate housing, food, and clothing.

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From late 2011 to August of 2012, the mother provided several different addresses to Summit County Children Services, none of which could be confirmed by the agency. In August of 2012, the woman gave birth in a Cleveland hospital. Summit County Children Services was granted custody of the newborn, because of the ongoing cases concerning the woman's other children.

The woman asked the Summit County Juvenile Court to dismiss the case, claiming the court had no jurisdiction because she gave birth in Cuyahoga County. Juvenile Court Judge Linda Teodosio upheld the magistrate's decision denying the mother's motion to dismiss. The mother appealed to the Ninth District Court of appeals, which agreed with her. Summit County Children Services then appealed to the Ohio Supreme Court, which led to the court's decision.

In the unanimous ruling announced today, the state Supreme Court concluded the Summit County Juvenile Court was permitted to reject the mother's motion. Chief Justice Maureen O'Connor explained that all juvenile courts in the state have jurisdiction based on the subject – and not venue - in cases where a parent fails to adequately care for their children.