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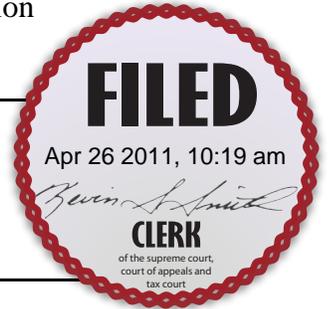
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**IN THE
COURT OF APPEALS OF INDIANA**



IN THE MATTER OF THE INVOLUNTARY)
TERMINATION OF THE PARENT-CHILD)
RELATIONSHIP OF D.W., D.W., and C.W.:)

A.W.)
)
Appellant-Respondent,)

vs.)

THE INDIANA DEPARTMENT OF CHILD)
SERVICES,)

Appellee-Petitioner,)

and)

CHILD ADVOCATES, INC.,)

Co-Appellee.)

No. 49A02-1009-JT-1076

APPEAL FROM THE MARION SUPERIOR COURT
The Honorable Gary Chavers, Judge Pro Tem
The Honorable Larry Bradley, Magistrate
Cause No. 49D09-1005-JT-20562
Cause No. 49D09-1005-JT-20563
Cause No. 49D09-1005-JT-20564

April 26, 2011

MEMORANDUM DECISION - NOT FOR PUBLICATION

FRIEDLANDER, Judge

A.W. (Mother) appeals the involuntary termination of her parental rights to her children, Da.W., De.W., and C.W. In so doing, Mother challenges the sufficiency of the evidence supporting the juvenile court's termination order. Mother also asserts the juvenile court abused its discretion in denying her motion to continue.

We affirm.

Mother is the biological mother of Da.W., born in May 1995, De.W., born in April 2001, and C.W., born in February 2007. The facts most favorable to the juvenile court's judgment reveal that in June 2009, the Marion County office of the Indiana Department of Child Services (MCDCS) filed a petition alleging Da.W., De.W., and C.W. were children in need of services (CHINS).¹ This was not MCDCS's first encounter with this family, as

¹ For clarification purposes, we note that a fourth, older child, Dar.W. (born in May 1992), was also initially included in the CHINS petition. During the CHINS proceedings, however, Dar.W. turned eighteen years old, and his permanency plan was changed to an alternative permanent living arrangement. Dar.W. was therefore never subject to this termination action. In addition, De.W.'s biological father is deceased, and both Da.W.'s biological father and C.W.'s alleged biological father were never located. Both fathers' parental rights were eventually terminated by default judgment, and they do not participate in this appeal. Consequently, we limit our recitation of the facts to those pertinent solely to Mother's appeal.

Mother had been involved with MCDCS on four previous occasions, beginning in 2003 with an informal adjustment, and subsequent substantiated referrals for neglect in 2005, 2006, and 2007. In addition, the children were adjudicated CHINS in 2008, but the case was later reversed on appeal in a memorandum decision issued by this Court in April 2009. *See In re D.W.*, 905 N.E.2d 1101 (Ind. Ct. App. 2009). Following this Court's reversal in the previous CHINS matter, MCDCS attempted to return the children to Mother's care. Unfortunately, the family case manager was unable to locate Mother despite "great efforts" to do so, thereby necessitating that the underlying CHINS petition eventually be filed in June 2009. *Appellant's Appendix* at 15.

An initial hearing on the underlying CHINS petition was held in June 2009. Mother failed to appear, and the juvenile court issued an order scheduling the matter to be continued in July 2009. The court's order also authorized parenting time for Mother. When Mother failed to appear for the continued initial hearing in July 2009, however, the juvenile court ordered that no visits would be allowed for any of the parents "until they appear before the Court." *Id.* at 12.

In August 2009, the juvenile court issued an order acknowledging MCDCS's previously-filed Notice to the Court and further recognizing "the great effort made by the family case manager in this matter," stating that "Mother appears to be attempting to evade placement of the children, sabotaging her own requests." *Id.* at 15. Mother also failed to appear at a pretrial hearing later the same month. The juvenile court's subsequent order stated Mother had "not provided [MCDCS] with an accurate address[,] and the case manager reports [M]other hung up on her when she attempted to call her." *Id.* at 17. The court's

order also noted that Mother had “received the summons and rights” pertaining to the hearing but had “refused to sign” the acknowledgement form. *Id.* at 18. Mother also failed to appear for an additional pre-trial hearing held in September 2009, as well as the evidentiary hearing on the CHINS petition in October 2009.

At the commencement of the CHINS evidentiary hearing, the public defender assigned to represent Mother in the CHINS matter made an oral motion to withdraw from the case. In granting Mother’s attorney’s motion to withdraw, the juvenile court found that the public defender had never met Mother, despite having attempted to contact Mother on at least seven occasions, sending an investigator to locate Mother on two separate occasions, and e-mailing Mother. The juvenile court also adjudicated all three children CHINS, finding that in failing to maintain any contact with MCDCS and her children Mother had “essentially abandoned” her children. *Id.* at 24.

The juvenile court proceeded to disposition the same day, formally removed the children from Mother’s custody, and ordered the children to be wards of MCDCS. The court’s dispositional order also incorporated a Participation Decree that directed Mother to participate in and successfully complete a variety of tasks and services designed to facilitate reunification of the family. Specifically, Mother was directed to, among other things: (1) maintain regular and consistent weekly contact with her MCDCS caseworker so that MCDCS could be apprised of Mother’s living situation and assist her in correcting any parenting deficiencies; (2) provide the caseworker with any changes in Mother’s address, phone number, or household composition within five days of said changes; (3) secure and maintain a legal and stable source of income; (4) obtain and maintain suitable housing; and

(5) enroll in any recommended program or service without delay and/or missed appointments. Due to Mother's refusal to participate in any of the CHINS proceedings to date, however, the juvenile court's order directed that Mother was not to receive any reunification services until she "made [herself] available to the Court." *Id.* at 24.

Following the dispositional hearing, Mother continued to refuse to make herself available to the courts, to communicate with MCDCS caseworkers, and to visit with the children. In January 2010, the juvenile court conducted a placement and jurisdictional review hearing, after which the court issued an order containing the following language: "For today's review of how [M]other is progressing in services, there are no surprises. She has done NOTHING and in fact has again and still demonstrates her worthlessness as a parent." *Id.* at 29 (emphasis in original).

In May 2010, Mother appeared in court for the first time for a scheduled permanency hearing. At the conclusion of the hearing, the juvenile court issued an order acknowledging Mother's attendance, but finding Mother had "nothing to add" during the hearing. *Id.* at 32. The court also noted "the age of this matter," that this "was not Mother's first time in being afforded services," as well as "Mother's complete lack of participation" therein. *Id.* at 32. The court then granted MCDCS's request to change the children's permanency plan from reunification to adoption, citing Mother's "complete lack of participation" in the CHINS case, and the children's "progress in their current placements." *Id.* at 33. Shortly thereafter, MCDCS filed a petition seeking the involuntary termination of Mother's parental rights to all three children.

An evidentiary hearing on the termination petition commenced on August 4, 2010.

Mother failed to appear and the juvenile court delayed the hearing to allow her attorney² an opportunity to locate Mother. When Mother's attorney was unable to reach her, the juvenile court proceeded with the evidentiary hearing in Mother's absence.

During the hearing, MCDCS presented evidence showing Mother had essentially abandoned the children, having refused to communicate with MCDCS and/or the children since before the filing of the CHINS petition. Evidence was also presented showing the children had been living together and thriving in a pre-adoptive foster home for approximately one year and were bonded with their foster family. At the conclusion of MCDCS's presentation of evidence, Mother's attorney declined to call any witnesses, but moved to bifurcate the hearing and schedule another day for Mother to appear in court and testify. The juvenile court denied counsel's request, noting the extended length of time the children had been removed from the family home already, and indicating that a motion to set aside could be filed if it were later discovered that there was a justifiable reason for Mother's absence.

Approximately one hour and fifteen minutes after the close of evidence, Mother appeared at the courthouse and the juvenile court allowed counsel to re-open Mother's case.

² Mother was assigned a new public defender after MCDCS filed its involuntary termination petition to represent her throughout the termination proceedings.

At that time, counsel renewed his motion to bifurcate the case in order for Mother to testify at a later date and to subpoena four additional witnesses. MCDCS objected, arguing Mother was currently present in court and available to testify. MCDCS further reminded the court that Mother had been present in court several months earlier, in June 2010, when the termination hearing had been scheduled and thus had just as much time as MCDCS to prepare her case and to subpoena any witness she desired but had apparently chosen not to do so. The juvenile court again refused to grant a continuance and inquired as to whether Mother wished to testify at that time. Mother declined to testify, the hearing was concluded, and the juvenile court took the matter under advisement. On August 18, 2010, the juvenile court entered its judgment terminating Mother's parental rights to all three children. This appeal ensued.

We begin our review by acknowledging that this court has long had a highly deferential standard of review in cases concerning the termination of parental rights. *In re K.S.*, 750 N.E.2d 832 (Ind. Ct. App. 2001). When reviewing the termination of parental rights, we will not reweigh the evidence or judge the credibility of the witnesses. *In re D.D.*, 804 N.E.2d 258 (Ind. Ct. App. 2004), *trans. denied*. Instead, we consider only the evidence and reasonable inferences that are most favorable to the judgment. *Id.* In deference to the juvenile court's unique position to assess the evidence, we will set aside the court's judgment terminating a parent-child relationship only if it is clearly erroneous. *In re L.S.*, 717 N.E.2d 204 (Ind. Ct. App. 1999), *trans. denied*. Thus, if the evidence and inferences support the trial court's decision, we must affirm. *Id.*

Here, the juvenile court made specific findings in its order terminating Mother's parental rights. Where the court enters specific findings and conclusions thereon, we apply a two-tiered standard of review. *Bester v. Lake Cnty. Office of Family & Children*, 839 N.E.2d 143 (Ind. 2005). First, we determine whether the evidence supports the findings, and second we determine whether the findings support the judgment. *Id.* "Findings are clearly erroneous only when the record contains no facts to support them either directly or by inference." *Quillen v. Quillen*, 671 N.E.2d 98, 102 (Ind. 1996). A judgment is clearly erroneous only if the findings do not support the juvenile court's conclusions or the conclusions do not support the judgment thereon. *Id.* We will reverse a judgment as clearly erroneous only if, after reviewing the record, we have a "firm conviction that a mistake has been made." *Lang v. Starke Cnty. Office of Family & Children*, 861 N.E.2d 366, 371 (Ind. Ct. App. 2007), *trans. denied*.

The traditional right of parents to "establish a home and raise their children is protected by the Fourteenth Amendment of the United States Constitution." *In re M.B.*, 666 N.E.2d 73, 76 (Ind. Ct. App. 1996), *trans. denied*. Although parental rights are of a constitutional dimension, the law provides for the termination of these rights when parents are unable or unwilling to meet their parental responsibilities. *In re R.H.*, 892 N.E.2d 144 (Ind. Ct. App. 2008). In addition, a juvenile court must subordinate the interests of the parents to those of the child when evaluating the circumstances surrounding the termination. *In re K.S.*, 750 N.E.2d 832.

To terminate a parent-child relationship, the State is required to allege and prove, among other things:

- (B) that one (1) of the following is true:
 - (i) There is a reasonable probability that the conditions that resulted in the child’s removal or the reasons for placement outside the home of the parents will not be remedied.
 - (ii) There is a reasonable probability that the continuation of the parent-child relationship poses a threat to the well-being of the child.
 - (iii) The child has, on two (2) separate occasions, been adjudicated a child in need of services; [and]

- (C) that termination is in the best interests of the child

Ind. Code Ann. § 31-35-2-4(b)(2) (West, Westlaw through 2011 Pub. Laws approved & effective through 2/24/2011). The State’s burden of proof for establishing these allegations in termination cases “is one of ‘clear and convincing evidence.’” *In re G.Y.*, 904 N.E.2d 1257, 1260-61 (Ind. 2009) (quoting Ind. Code Ann. § 31-37-14-2 (West, Westlaw through 2011 Pub. Laws approved & effective through 2/24/2011)). If the court finds that the allegations in a petition described in section 4 of this chapter are true, the court *shall* terminate the parent-child relationship. I.C. § 31-35-2-8 (West, Westlaw through 2011 Pub. Laws approved & effective through 2/24/2011). Mother challenges the sufficiency of the evidence supporting the juvenile court’s findings as to subsection (b)(2)(B) and (C) of the termination statute cited above. *See* I.C. § 31-35-2-4(b)(2).

We pause to observe that I.C. § 31-35-2-4(b)(2)(B) provides that MCDCS need establish only one of the three requirements of subsection (b)(2)(B) by clear and convincing evidence before the juvenile court may terminate parental rights. Here, the juvenile court found MCDCS presented sufficient evidence to satisfy the first two subsections of (b)(2)(B) of the termination statute. *See* I.C. § 31-35-2-4(b)(2)(B)(i) & (ii). Because we find it

dispositive under the facts of this particular case, we shall only consider whether clear and convincing evidence supports the trial court's findings regarding subsection (b)(2)(B)(i), namely, whether there is a reasonable probability the conditions resulting in the children's removal or continued placement outside the family home will be remedied. *See* I.C. § 31-35-2-4(b)(2)(B)(i).

In making such a determination, a juvenile court must judge a parent's fitness to care for his or her child at the time of the termination hearing, taking into consideration evidence of changed conditions. *In re J.T.*, 742 N.E.2d 509 (Ind. Ct. App. 2001), *trans. denied*. The court must also evaluate the parent's habitual patterns of conduct to determine whether there is a substantial probability of future neglect or deprivation of the child. *In re M.M.*, 733 N.E.2d 6 (Ind. Ct. App. 2000). Pursuant to this rule, courts have properly considered evidence of a parent's prior criminal history, drug and alcohol abuse, history of neglect, failure to provide support, and lack of adequate housing and employment. *A.F. v. Marion Cnty. Office of Family & Children*, 762 N.E.2d 1244 (Ind. Ct. App. 2002), *trans. denied*. The juvenile court may also properly consider the services offered to the parent by a county office of the Indiana Department of Child Services, and the parent's response to those services, as evidence of whether conditions will be remedied. *Id.* Finally, a juvenile court need not wait until a child is irreversibly influenced by a deficient lifestyle such that his or her physical, mental, and social growth are permanently impaired before terminating the parent-child relationship. *In re E.S.*, 762 N.E.2d 1287 (Ind. Ct. App. 2002).

Here, in finding there is a reasonable probability that the conditions resulting in the children's removal and continued placement outside of Mother's care will not be remedied, the juvenile court made detailed findings regarding Mother's deliberate and knowing refusal to communicate with MCDCS caseworkers throughout the duration of the underlying proceedings, as well as Mother's failure to visit with the children. In so doing, the juvenile court specifically found that although an earlier CHINS case involving the family had been reversed on appeal, MCDCS had been left with no other option but to file a new CHINS petition in 2009 alleging Mother had "failed to provide the children with a safe, stable, and appropriate living environment" because MCDCS "could not locate [Mother] to return her children." *Appellant's Appendix* at 25. As for Mother's participation in court-ordered services, the court found Mother "did not cooperate with [MCDCS], failing to maintain contact, not attending court hearings, giving false addresses, and failing to visit the children, which resulted in her whereabouts not being ascertained." *Id.* In addition, the court noted that the current MCDCS case manager "met [Mother] for the first time in May 2010 at a court hearing[,] but [Mother] would not speak with him." *Id.* The court thereafter found:

There is a reasonable probability that the conditions that resulted in the removal and continued placement of the children outside the home will not be remedied by [Mother]. Since June 2009, the only effort [Mother] appears to have made to address the children being out of her care is to attend a few court hearings. At a court hearing in the CHINS matter on May 3, 2010, [Mother] appeared but the court noted she had nothing to add. She refused to speak to the case manager at another hearing. [Mother] has not come forward to inquire about her children. It is clear that she is either unable or unwilling to parent her children, and they remain abandoned. Further, [Mother] has an extensive history with [MCDCS], evidencing a pattern of not being able to remedy conditions.

Id. The court then concluded that MCDCS had proven this element of the termination statute by clear and convincing evidence, given Mother’s “minimal effort in the CHINS case to participate, her lack of cooperation, and her history of a pattern of repeating CHINS cases.” *Id.* at 26. Our review of the record reveals that these findings and conclusions are supported by abundant evidence.

During the termination hearing, MCDCS admitted various court documents from the underlying CHINS case, including the CHINS petition and CHINS order, which indicated Mother had “an extensive history with [MCDCS],” including an “IA in 2003. Neglect in 2005 and 2006 and 2007.” *Exhibits* at 4, 23. In addition, MCDCS family case manager Karen Wilkerson verified that despite repeated attempts to locate Mother to return the children to her following the reversal of the previous CHINS case, “[n]one of the parents were able to provide a [sic] safe, stable housing[,] and they were not able to be located at the time that the CHINS petition was filed.” *Transcript* at 19. Wilkerson further testified that MCDCS had been “unable to determine where [Mother] lived,” because Mother had given them “false addresses.” *Id.* When questioned as to how Wilkerson had determined the addresses Mother provided were false, Wilkerson replied, “By using a GPS device in the car.” *Id.* at 20. Wilkerson further explained that when she drove to the addresses that Mother had given her, the addresses “ended up being businesses[,] and one address was just a patch of grass.” *Id.* In recommending termination of Mother’s parental rights, Wilkerson informed the court that not only had she been unable to refer Mother for any reunification services because Mother could not be located and had refused to maintain contact with MCDCS, but that Mother also had not visited with the children.

MCDCS family case manager Tim Beals likewise recommended termination of Mother's parental rights. During the termination hearing, Beals informed the juvenile court that he had been assigned to Mother's case in April 2010, and remained the current case manager. Beals further testified that the first time he met with Mother was in May 2010 when she appeared in court, but that Mother had refused to speak with him, informing Beals that "she didn't want any interactions." *Id.* at 24. When asked if Mother had ever contacted him since that time, Beals answered, "No, she did not." *Id.* at 24.

Guardian ad Litem (GAL) Brian Robinson's testimony echoed the testimony of Wilkerson and Beals. Robinson informed the juvenile court that he had been assigned to the case in June 2009, but that he, too, had "not had any meaningful contact with [M]other and no contact with [the] fathers at all." *Id.* at 32. Robinson further testified that he had given Mother his business card and had attempted to reach her at the addresses Mother had provided, but that the addresses "were invalid." *Id.*

As previously explained, a trial court must judge a parent's fitness to care for his or her children at the time of the termination hearing, taking into consideration the parent's *habitual patterns of conduct* to determine the probability of future neglect or deprivation of the children. *In re D.D.*, 804 N.E.2d 258. Where the parent's pattern of conduct shows no overall progress, the court might reasonably infer that, under the circumstances, the problematic situation will not improve. *In re A.H.*, 832 N.E.2d 563 (Ind. Ct. App. 2005). Moreover, the failure to exercise the right to visit one's children demonstrates a "lack of commitment to complete the actions necessary to preserve [the] parent-child relationship." *Lang v. Starke Cnty. Office of Family & Children*, 861 N.E.2d at 372. Since the time of the

children's removal, Mother has refused to maintain communication with MCDCS while deliberately providing false information concerning her whereabouts, failed to successfully complete any of the court's dispositional goals, declined to visit with the children, and has neglected to provide the children with any type of emotional and/or financial support. For all these reasons, we conclude that clear and convincing evidence supports the juvenile court's determination that there is a reasonable probability the conditions leading to the children's removal and/or continued placement outside Mother's care will not be remedied. Mother's arguments to the contrary amount to an invitation to reweigh the evidence, which we may not do.³ *In re D.D.*, 804 N.E.2d 258.

We next consider Mother's assertion that MCDCS failed to prove termination of her parental rights is in the children's best interests. In determining what is in the best interests of a child, the juvenile court is required to look beyond the factors identified by the Indiana Department of Child Services and look to the totality of the evidence. *McBride v. Monroe Cnty. Office of Family & Children*, 798 N.E.2d 185 (Ind. Ct. App. 2003). In so doing, the

³We further conclude that Mother's additional assertion that the juvenile court "improperly considered a prior CHINS, which had been reversed on appeal, as a basis for the several findings in support of the conclusion that there was a reasonable probability that the conditions resulting in the children's removal from [Mother's] care would not be remedied" is likewise unpersuasive. See *Appellant's Brief* at 19. Mother makes this assertion without any citation to authority, and, in so doing, has waived appellate review. Indiana Appellate Rule 46(A)(8)(a) provides, "The argument must contain contentions of the appellant on the issues presented, supported by cogent reasoning. Each contention must be supported by citations to the authorities, statutes, and the Appendix or parts of the Record on appeal relied on . . ." See also *Davis v. State*, 835 N.E.2d 1102 (Ind. Ct. App. 2005) (concluding that failure to present a cogent argument or citation to authority constitutes waiver of issue for appellate review), *trans. denied*. Waiver notwithstanding, after reviewing the record we agree with MCDCS that "[o]ther than the court's notation in Finding of Fact #4, delineating that the current underlying CHINS case opened in June 2009 when [MCDCS] could not locate Mother to return her children to her, there is no evidence that the termination court even considered the prior reversed CHINS or had the evidence before it to do so." *Appellee's Brief* at 9.

juvenile court must subordinate the interests of the parent to those of the child. *Id.* The court need not wait until a child is irreversibly harmed before terminating the parent-child relationship. *Id.* Moreover, we have previously held that the recommendations of both the case manager and child advocate to terminate parental rights, in addition to evidence that the conditions resulting in removal will not be remedied, is sufficient to show by clear and convincing evidence that termination is in the child's best interests. *In re M.M.*, 733 N.E.2d 6.

In addition to the juvenile court's findings previously discussed, the court made several additional pertinent findings in determining that termination of parental rights is in the children's best interests. The juvenile court found that the children have been out of their mother's physical care since 2006, that Mother has "not come forward to inquire about her children," that the children resided in multiple foster homes since their removal from Mother's care, but that for the last year had been placed together in the same pre-adoptive foster home which provides a "nurturing environment for the children." *Appellant's Appendix* at 16. Moreover, the juvenile court found that all three children "are doing well in the pre-adoptive home, with the eldest two making the Honor Roll at school." *Id.* Finally, the trial court determined that continuation of the parent-child relationship poses a threat to the well-being of the children "as it would pose a barrier to reaching the goal of permanency through adoption." *Id.*

The record reveals that MCDCS case managers Wilkerson and Beals, in addition to GAL Robinson, all informed the juvenile court that they believed termination of Mother's parental rights would be in the children's best interests. In so doing, Wilkerson reviewed

Mother's lack of participation both in the children's lives and with MCDCS throughout the duration of the underlying proceedings, concluding that the children are now "in a home that's providing them with a safe, stable, and nurturing environment" and are "doing fine." *Transcript* at 22. Beals likewise testified that the children had been living with their adoptive foster parents for a year, that the foster parents provided a "safe and nurturing environment" for the children, and that the children were "bonded" with their foster family. *Id.* at 29. Similarly, GAL Robinson testified that the children were doing "very well" in their current placement and that all their needs were "absolutely" being met. *Id.* at 32. When asked why he recommended termination and adoption, Robinson stated that he based his recommendation on the facts that Mother "has not made substantial efforts to [complete] services designed for reunification," that she had not seen the children "in over two years," and that the children were "finally adjusted and doing well, and . . . deserve permanency." *Id.* at 34. Based on the totality of the evidence, including Mother's refusal to maintain contact with the children, failure to participate in or complete any of the trial court's dispositional goals, and current inability to demonstrate she is capable of providing the children with a safe and stable home environment, coupled with the testimony from Wilkerson, Beals, and Robinson recommending termination of the parent-child relationships, we conclude that clear and convincing evidence supports the juvenile court's determination that termination of Mother's parental rights is in all three children's best interests.

In addressing Mother's final contention that the juvenile court erred in denying her motion to continue the termination hearing, we point out that the decision whether to grant or deny a motion for a continuance rests within the sound discretion of the juvenile court.

Rowlett v. Vanderburgh Cnty. Office of Family & Children, 841 N.E.2d 615 (Ind. Ct. App. 2006), *trans. denied*. We will therefore reverse a decision on a motion to continue only upon a showing of an abuse of discretion. Moreover, no abuse of discretion will be found when the moving party has not demonstrated that he or she was prejudiced by the denial. *Id.* Although the facts and reasonable inferences in certain instances might allow for a different conclusion, we will not substitute our judgment for that of the juvenile court. *McBride v. McBride*, 427 N.E.2d 1148 (Ind. Ct. App. 1981).

There is no indication in the record that Mother's rights were compromised in any way as a result of the juvenile court's decision to deny her motion to continue. Mother was represented by counsel, who was provided with the opportunity to cross-examine MCDCS's witnesses, and in fact did. In addition, although Mother arrived more than an hour after the close of evidence on the day of trial, the juvenile court re-opened the case and allowed Mother the opportunity to introduce evidence and to testify on her own behalf, which Mother chose not to do after consulting with counsel. Also significant, Mother has failed to allege, both during the termination hearing and on appeal, any specific prejudice suffered as a result of the juvenile court's denial of her motion to continue. Delays in the adjudication of a termination case "impose significant costs upon the functions of the government as well as an intangible cost to the lives of the children involved." *D.A. v. Monroe Cnty. Dep't of Child Servs.*, 869 N.E.2d 501, 510 (Ind. Ct. App. 2007). Under these circumstances, we cannot conclude that the juvenile court abused its discretion in denying Mother's motion to continue.

This Court will reverse a termination of parental rights "only upon a showing of 'clear error'— that which leaves us with a definite and firm conviction that a mistake has been

made.” *In re A.N.J.*, 690 N.E.2d 716, 722 (Ind. Ct. App. 1997) (quoting *Egly v. Blackford Cnty. Dep’t of Pub. Welfare*, 592 N.E.2d 1232, 1235 (Ind. 1992)). We find no such error here.

Judgment affirmed.

BAILEY, J., and BROWN, J., concur.