

MEMORANDUM DECISION

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IN THE COURT OF APPEALS OF INDIANA

In the Matter of the Involuntary
Termination of the Parent-Child
Relationship of O.M. and E.M.
(Minor Children)

and

A.M. (Mother),
Appellant-Respondent,

v.

Indiana Department of Child
Services,

Appellee-Petitioner

August 11, 2021

Court of Appeals Case No.
21A-JT-449

Appeal from the Montgomery
Superior Court

The Honorable Heather Lea
Barajas, Judge

Trial Court Cause Nos.
54D01-2009-JT-233, - 234

Crone, Judge.

Case Summary

- [1] A.M. (Mother) appeals the trial court's order involuntarily terminating her parental rights to her minor twin children O.M. and E.M. (Children). She argues that the trial court erred in concluding that the Indiana Department of Child Services (DCS) carried its burden to show that there is a reasonable probability that the conditions that resulted in Children's removal or the reasons for placement outside the home will not be remedied and that termination is in Children's best interests. Finding no error, we affirm.

Facts and Procedural History

- [2] The evidence in support of the judgment and the unchallenged findings of fact show that before Children were born, Mother had two other children that were adjudicated as children in need of services (CHINS). One of those children was involved in a 2014 CHINS case that was closed with the child's father gaining sole custody. Tr. Vol. 2 at 34. Then, in January 2016, Mother's parental rights to the other child were terminated due to her failure to participate in the child's CHINS case.¹ *Id.* at 35.
- [3] Children were born in May 2017. DCS has been involved with them twice. DCS removed Children from Mother's care at their birth due to Mother's drug use. The trial court adjudicated Children as CHINS and ordered Mother to

¹ The trial court also terminated the parental rights of that child's unknown putative father. Ex. Vol. 3 at 91.

participate in services. In February 2018, Mother and Children began a trial home visit, and on March 13, 2018, their cases were successfully closed.

[4] In April 2019, DCS received a report that Mother was using drugs and that the living conditions of the home were inappropriate for Children. Family case manager (FCM) Zoey Rowe investigated the allegations. FCM Rowe found that the home was very dirty, but it was the presence of illegal drugs that warranted Children's removal from the home. Mother admitted to FCM Rowe that she had used methamphetamine, marijuana, and Klonopin as recently as five days before. *Id.* at 24. Mother submitted to a drug screen, which showed positive results for methamphetamine and THC. DCS removed Children and placed them in a relative's care.

[5] DCS filed a CHINS petition for each of the Children. The trial court held fact-finding hearings in May and June 2019, and adjudicated Children as CHINS. In so doing, the trial court found that the home was not appropriate for Children because "it was cluttered, there was rotting food, a syringe with heroin [was] visible and dirty dishes[,]” and Mother appeared to be “under the influence.” *Appealed Order* at 2. The trial court also found that at the time of the fact-finding hearing, Mother had been arrested and was still in jail. FCM Charlene Colley was assigned to the cases.

[6] Following another hearing, in July 2019, the trial court issued a dispositional order, requiring Mother to, among other things, maintain safe and stable housing, refrain from drug and alcohol use, obey the law, complete a substance

abuse assessment and follow all recommendations, attend all scheduled visitation, and participate in individual therapy and a psychological evaluation. From July until September 2019, Mother received inpatient substance abuse treatment at Volunteers of America (VOA). Just before her discharge from VOA, Mother completed a substance abuse assessment at Cummins Behavioral Health. Cummins recommended that Mother engage in intensive outpatient treatment (IOT), consisting of nine hours of addiction group each week, which Mother began immediately after her discharge from VOA. Mother completed the IOT in mid-December 2019. When Mother completed IOT, she was referred to Lasting Recovery, a two-hour-a-week program to help addicts maintain their recovery. Between January and March 2020, Mother attended seven and missed three Lasting Recovery sessions. Tr. Vol. 2 at 64-65.

- [7] In addition, Mother engaged in weekly individual therapy with Jennifer Green of Family Interventions and initially kept her appointments. Mother's referral to Green was for "addictions, mental health issues, trauma, [and] healthy relationships." *Id.* at 86. Although Mother's primary drug of choice was methamphetamine, she had "used opiates in the past." *Id.* at 87. Mother indicated in her assessment that she had a history of trauma and had struggled with long-term addiction. *Id.* at 86-87. Green had previously worked with Mother in 2013 to address "[s]obriety, stability, trauma, [and] addiction issues." *Id.* at 85. In addition, Green had worked with Mother in Children's 2017 CHINS cases on "stability and sobriety" issues until Mother was reunified with Children. *Id.* at 86.

[8] Mother also participated in visitation with Children supervised by Marla Ward of Family Intervention. After Mother's discharge from VOA, she had visitation with Children two to three times a week. Ward believed that the visits went well and that Mother took care of Children appropriately. *Id.* at 40. In February 2020, Mother began unsupervised visitation. Ward's last contact with Mother was in March 2020, when Children were in Mother's home for overnight visits. At that time, DCS was moving toward a trial home visit.

[9] In March 2020, the trial court held a permanency hearing. FCM Colley testified that Mother had done a "really great job," and the team helping Mother "had nothing but good things to say." *Id.* at 120. The trial court found that Mother had "complied with [C]hildren's case plan, ... maintained her sobriety and ... participated in the programs and services recommended by DCS." Appellant's App. Vol. 2 at 45. The trial court concluded that Children's reunification with Mother was the permanency plan that was most appropriate and consistent with their best interests. *Id.*

[10] In March 2020, due to the COVID-19 emergency, Mother's Lasting Recovery treatment transitioned to virtual meetings. Because Mother had a prescription for Suboxone to help treat her drug use, she was supposed to participate in the program for a year. However, between March and May 2020, Mother did not engage with the meetings.² Tr. Vol. 2 at 66. Cummins discharged Mother in

² At one of her drug screens during this time, Mother stated that she thought she was finished with Lasting Recovery and was informed that she was still required to participate. Tr. Vol. 2 at 66.

May 2020 because she failed to make contact despite outreach letters and phone calls. *Id.* at 58, 66.

[11] Mother began using methamphetamine and alcohol again. From June 30 to August 5, 2020, Mother failed to submit to drug screens because FCM Colley was unable to find her. *Id.* at 124. On August 5, 2020, Mother admitted to FCM Colley that she was using methamphetamine. *Id.* In August 2020, Mother tested positive for amphetamine, methamphetamine, THC, and benzodiazepine. Ex. Vol. 3 at 143. Mother did not have a prescription for benzodiazepines. Also, Mother failed to attend individual therapy with Green from July until August 31, 2020, although Mother met with Green fairly consistently during September 2020. Tr. Vol. 2 at 88-89.

[12] From March 23, 2020, until May 2, 2020, Mother stopped taking Children for overnight visits due to her anxiety about COVID-19. *Id.* at 121. Mother resumed overnight visits from May 2 until June 4, 2020. *Id.* at 122. Mother had an overnight with Children around June 4, 2020, and then Children's maternal grandmother was diagnosed with Covid-19, and DCS returned Children to relative placement. *Id.* at 107. Mother also became sick, and on June 14, 2020, she tested positive for COVID-19. Mother contacted Children via telephone on June 22 and July 7, 2020, but Children did not hear from Mother again until September 14, 2020. *Id.* at 107, 122-23. Notably, Mother was able to go back to work on June 30, 2020. *Id.* at 122.

[13] In August 2020, the trial court held a review hearing and determined that Mother was no longer compliant with Children's case plan because she continued to use methamphetamine and failed to participate in services for the two months preceding the hearing, including failing to submit to drug screens or attend visitation. Appellant's App. Vol. 2 at 47. The trial court also determined that the permanency plan for Children should be modified to reunification with a concurrent plan of adoption. *Id.* at 48.

[14] In September 2020, DCS filed petitions for the involuntary termination of Mother's parental rights. Starting in October, Mother struggled to meet consistently with Green for individual therapy. Tr. Vol. 2 at 89. From September 2020, to early January 2021, Mother tested positive for amphetamine and methamphetamine, as well as THC, benzodiazepine, buprenorphine, and alcohol. Ex. Vol. 3 at 143, 151, 154, 156, 159, 161, 166, 169-71, 182-83. She continued to test positive for alcohol in January and February 2021. In December 2020, FCM Colley offered Mother inpatient substance abuse treatment at Life Springs for thirty days, but Mother refused. Tr. Vol. 2 at 129. Instead, Mother went to a detox program at Sycamore Springs from December 11 to 19, 2020. Although Mother contacted Cummins on December 21 to start IOT, Mother did not attend sessions. Then, from January 28 to February 5, 2021, Mother attended the Sycamore Springs detox program again for her drinking. *Id.* at 129-130.

[15] Following the August 2020 review hearing, DCS referred Mother to Richard Mayotte of Family Interventions for supervised visitation. *Id.* at 69-70. Mother

was scheduled to have two visits per week for two hours each visit. Around the time visits resumed, O.M. became more aggressive at home, throwing temper tantrums, slamming his head on the ground, and kicking and hitting his head on the wall. *Id.* at 106-07. Also, after visits with Mother, E.M. would have “night terrors after every visit” and refuse to be out of sight of her foster parents for “a good day or so.” *Id.* at 107. Between September 2020 and January 2021, Mother missed about four scheduled visits. In November, visits started being held at Mother’s apartment. Mayotte observed that Mother was sometimes “lethargic and distracted” during visits. *Id.* at 71. At visits during November and December 2020, Mayotte smelled alcohol on her. *Id.* at 72.

[16] Also following the August 2020 review hearing, DCS referred Mother to Ward for case management to address housing, employment, parenting, community resource, budgeting, working through her anxiety, and getting her driver’s license back. *Id.* at 40. Mother’s engagement with Ward was inconsistent. In addition, “several times” Ward smelled alcohol when meeting with Mother, and Mother admitted to Ward that she had been drinking shots. *Id.* at 42. On December 11, 2020, Ward drove Mother to Sycamore Springs for the seven-day detox program and asked Mother to contact her when Mother was released, but Ward never heard from her. *Id.* at 41.

[17] In February 2021, the trial court held a hearing on DCS’s petitions to terminate Mother’s parental rights. Green testified that Mother “had quite a few no-shows within the last few months” and that Mother had not “been able to make much progress recently because of the addiction issues and the substance

abuse.” *Id.* at 89, 92. Green expressed concern regarding Mother’s pattern of going into inpatient treatment and then drinking again after her release. *Id.* at 90. Green testified that she had recommended long-term inpatient treatment to Mother a few times. *Id.* In Green’s opinion, Mother would not progress until she went into a long-term treatment facility and that she would not be capable of being sober or an effective parent “on the path she [was] currently [on].” *Id.* at 97. Green testified that the day before the hearing, Mother indicated that she would not go into a long-term treatment facility despite having previously said that she knew that she would not be able to stop drinking on her own. *Id.* at 98.

[18] Mayotte testified that during Mother’s visitations with Children in January 2020, he “could clearly smell alcohol on her person and breath, [and] she just appeared drunk.” *Id.* at 72. Mayotte also observed that Children did not want to interact with her. *Id.* The relative caring for Children testified that they were “thriving” and were getting help for their speech issues and for O.M.’s developmental delays and both were attending Head Start. *Id.* at 103-04. FCM Colley testified that she recommended the termination of Mother’s parental rights because Children needed a stable home and a drug-free environment, which Mother was unable to provide. *Id.* at 132. In addition, Children’s court appointed special advocate (CASA) testified that termination of Mother’s parental rights is in Children’s best interests so that they can have “a safe and secure home.” *Id.* at 142.

[19] On March 4, 2021, the trial court entered its order terminating Mother's parental rights,³ which provides as follows:

12. From the date of Disposition until March 2020, [M]other did well and was engaged in services.

13. Up to March 2020, [M]other was having unsupervised visits with [C]hildren and the plan was to start a Trial Home Visit.

14. In early May 2020, [M]other did not visit [C]hildren even though they were offered to her.

15. She was able to contact them but did not contact them.

16. At that time, she started to not engage in services though services were available for her.

17. She continued to use alcohol.

18. Mother was intoxicated at visits; she smelled of alcohol and the visit supervisors could smell the alcohol. [C]hildren could have smelled the alcohol as well.

19. Mother relapsed and admitted to using methamphetamine.

20. Mother over several years has had multiple actions with the DCS.

³ The trial court also terminated Children's unknown father's parental rights.

21. She has had [a] period of sobriety but her issues go all the way back to 2013.

....

23. Ms. Green worked with [M]other [in] 2013, 2017, and 2019 to date, and Mother continues to have the same issues in stability and sobriety.

....

26. Despite DCS efforts, [M]other's issues remain.

27. Of 45 months of their life, [C]hildren have been [in] their [M]other's care only 14 months.

28. Mother has been offered services and has failed to follow through on those services, missing visits, missing therapy appointments and life skills appointments.

....

30. ... [W]hen Ms. Green has recommended Mother enter a long-term treatment program to address her addictions, [Mother] declined.

31. According to Ms. Green, [M]other cannot address her underlying issues until she is clean and sober and has addressed her substance addictions.

32. There is no known father of [C]hildren.

....

37. The DCS case manager and the CASA believe it is in [C]hildren's best interest to terminate the parent-child relationship.

38. The Court is obliged to take into account today [M]other's ability to care for [C]hildren.

39. Here, the conditions are the same as they were at the time of the removal in 2019 and the same as when [C]hildren were removed in 2017.

40. It is unfair for these [C]hildren to wait for [M]other to undergo treatment.

41. Mother refused to take advantage of the services offered to her.

42. DCS' plan for Children is that they be adopted, this plan is satisfactory for [Children's] care and treatment.

Appealed Order at 2-4. The trial court concluded that DCS had proven by clear and convincing evidence that there is a reasonable probability that the conditions that resulted in Children's removal or the reasons for placement outside Mother's home will not be remedied, there is a reasonable probability that continuation of the parent-child relationship poses a threat to Children's well-being, termination is in Children's best interests, and there is a satisfactory plan for Children post-termination and that is adoption. This appeal ensued.

Discussion and Decision

[20] Mother seeks reversal of the termination of her parental rights. In considering her appeal, we recognize that “a parent’s interest in the care, custody, and control of his or her children is ‘perhaps the oldest of the fundamental liberty interests.’” *In re R.S.*, 56 N.E.3d 625, 628 (Ind. 2016) (quoting *Bester v. Lake Cnty. Office of Family & Children*, 839 N.E.2d 143, 147 (Ind. 2005)). “[A]lthough parental rights are of a constitutional dimension, the law provides for the termination of these rights when the parents are unable or unwilling to meet their parental responsibilities.” *In re A.P.*, 882 N.E.2d 799, 805 (Ind. Ct. App. 2008). Involuntary termination of parental rights is the most extreme sanction, and therefore “termination is intended as a last resort, available only when all other reasonable efforts have failed.” *Id.*

[21] “We have long had a highly deferential standard of review in cases involving the termination of parental rights.” *C.A. v. Ind. Dep’t of Child Servs.*, 15 N.E.3d 85, 92 (Ind. Ct. App. 2014).

In considering whether the termination of parental rights is appropriate, we do not reweigh the evidence or judge witness credibility. We consider only the evidence and any reasonable inferences therefrom that support the judgment, and give due regard to the trial court’s opportunity to judge the credibility of the witnesses firsthand. Where a trial court has entered findings of fact and conclusions of law, we will not set aside the trial court’s findings or judgment unless clearly erroneous. [Ind. Trial Rule 52(A)]. In evaluating whether the trial court’s decision to terminate parental rights is clearly erroneous, we review the trial court’s judgment to determine whether the evidence clearly and

convincingly supports the findings and the findings clearly and convincingly support the judgment.

K.T.K. v. Ind. Dep't of Child Servs., 989 N.E.2d 1225, 1229-30 (Ind. 2013) (citations and quotation marks omitted). We further note that Mother has not challenged any of the trial court's findings. When findings of fact are unchallenged, this Court accepts them as true. *S.S.*, 120 N.E.3d 605, 608 n.2 (Ind. Ct. App. 2019). As such, if the unchallenged findings clearly and convincingly support the judgment, we will affirm. *Kitchell v. Franklin*, 26 N.E.3d 1050, 1059 (Ind. Ct. App. 2015), *trans. denied*; *T.B. v. Ind. Dep't of Child Servs.*, 971 N.E.2d 104, 110 (Ind. Ct. App. 2012), *trans. denied*.

[22] A petition to terminate a parent-child relationship must, among other things, allege:

(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;

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

(D) that there is a satisfactory plan for the care and treatment of the child.

Ind. Code § 31-35-2-4(b)(2) (emphasis added). DCS must prove each element by “clear and convincing evidence.” *R.S.*, 56 N.E.3d at 629; Ind. Code § 31-37-14-2. If the trial court finds that the allegations in the petition are true, the court shall terminate the parent-child relationship. Ind. Code § 31-35-2-8(a).

[23] Significantly, DCS need prove only one of the options listed under subsection 31-35-2-4(b)(2)(B). Here, the trial court concluded that DCS had established by clear and convincing evidence both options (i) and (ii). However, Mother does not challenge the trial court’s conclusion as to (ii). Accordingly, the trial court’s conclusion that DCS established option (ii) satisfies the requirement under subsection (b)(2)(B). *See In re A.K.*, 924 N.E.2d 212, 220 (Ind. Ct. App. 2010) (“Indiana Code section 31-35-2-4(b)(2)(B) is written in the disjunctive, and therefore, the court is required to find that only one prong of subsection 2(B) has been established by clear and convincing evidence.”). Consequently, we need not address Mother’s argument that the evidence is insufficient to support (i). Nevertheless, because of the fundamental liberty interests involved, we will address Mother’s argument.

Section 1 –The trial court did not clearly err in concluding that DCS carried its burden to show that there is a reasonable probability that the conditions that resulted in the Children’s removal from or the reasons for placement outside Mother’s home will not be remedied.

[24] Mother first challenges the trial court’s conclusion that DCS carried its burden to show that there is a reasonable probability that the conditions that resulted in the Children’s removal and continued placement outside her home will not be remedied. In reviewing whether there is a reasonable probability that the conditions that resulted in the Children’s removal or the reasons for placement outside Mother’s home will not be remedied, we engage in a two-step analysis. *K.T.K.*, 989 N.E.2d at 1231. First, “we must ascertain what conditions led to placement and retention in foster care.” *Id.* Second, we “determine whether there is a reasonable probability that those conditions will not be remedied.” *Id.* (quoting *In re I.A.*, 934 N.E.2d 1127, 1134 (Ind. 2010)). “[I]t is not just the basis for the initial removal of the child that may be considered for purposes of determining whether a parent’s rights should be terminated, but also those bases resulting in the continued placement outside of the home.” *In re A.I.*, 825 N.E.2d 798, 806 (Ind. Ct. App. 2005), *trans. denied*. When the trial court makes its determination, it must evaluate a parent’s fitness at the time of the termination hearing, taking into consideration evidence of changed conditions and balancing a parent’s recent improvements against “habitual pattern[s] of conduct to determine whether there is a substantial probability of future neglect or deprivation.” *In re E.M.*, 4 N.E.3d 636, 643 (Ind. 2014) (quoting *K.T.K.*, 989

N.E.2d at 1231). In addition, a trial court may consider services offered by DCS and the parent's response to those services as evidence of whether conditions will be remedied. *A.D.S. v. Ind. Dep't of Child Servs.*, 987 N.E.2d 1150, 1157 (Ind. Ct. App. 2013), *trans. denied*. "Where there are only temporary improvements and the pattern of conduct shows no overall progress, the court might reasonably find that under the circumstances, the problematic situation will not improve." *In re A.H.*, 832 N.E.2d 563, 570 (Ind. Ct. App. 2005). DCS "is not required to provide evidence ruling out all possibilities of change; rather, it need only establish 'that there is a reasonable probability that the parent's behavior will not change.'" *A.D.S.*, 987 N.E.2d at 1157 (quoting *In re Kay L.*, 867 N.E.2d 236, 242 (Ind. Ct. App. 2007)).

[25] Here, although Mother frames her challenge in terms of insufficient evidence, because she does not challenge the trial court's findings, we accept them as true. We observe that the condition that resulted in the Children's removal and placement outside Mother's home was Mother's drug use. Mother contends that she complied with services and remedied the conditions that resulted in Children's removal, but in March 2020, the spread of COVID-19 interrupted her services, including visitation, due to the country's state of emergency, quarantine requirements, and her own bout with COVID-19. We are sympathetic that the state of emergency and Mother's bout with COVID-19 created unusual and challenging conditions, but Mother's argument ignores her troubling pattern of getting sober and then relapsing and that many of her actions cannot be explained by COVID-19. The trial court found that she had

multiple interactions with DCS and that her substance abuse dates back to 2013. The trial court also found that in the summer of 2020, Mother lost contact with Children. She failed to even telephone the Children for two months. The trial court found that by the time Mother resumed visitation, she had started using methamphetamine, alcohol, and other drugs again and occasionally attended visits intoxicated. The trial court found that Mother continued to struggle with sobriety and declined to participate in inpatient treatment despite her therapist's and FCM Colley's urging. Green testified that Mother would not progress until she went into a long-term treatment facility and that she would not be capable of being sober or an effective parent on her current path. Tr. Vol. 2 at 97. The trial court found that Mother could not address her issues until she is free from substance use. We conclude that the trial court's findings clearly and convincingly support its conclusion that DCS had carried its burden to show that there is a reasonable probability that the reasons for Children's removal from Mother will not be remedied.

Section 2 –The trial court did not clearly err in concluding that DCS carried its burden to show that termination is in Children's best interests.

[26] Mother next challenges the trial court's conclusion that DCS had proven by clear and convincing evidence that termination is in Children's best interests. To determine whether termination is in a child's best interests, the trial court must look to the totality of the evidence. *A.D.S.*, 987 N.E.2d at 1158. Termination of parental rights is not appropriate solely because there is a better

home available for the child. *In re K.S.*, 750 N.E.2d 832, 837 (Ind. Ct. App. 2001). However, in assessing a child’s best interests, the trial court “must subordinate the interests of the parents to those of the child.” *A.D.S.*, 987 N.E.2d at 1158. “[C]hildren cannot wait indefinitely for their parents to work toward preservation or reunification—and courts ‘need not wait until a child is irreversibly harmed such that the child’s physical, mental, and social development is permanently impaired before terminating the parent-child relationship.’” *E.M.*, 4 N.E.3d at 648 (quoting *K.T.K.*, 989 N.E.2d at 1235). “Permanency is a central consideration in determining the best interests of a child.” *In re G.Y.*, 904 N.E.2d 1257, 1265 (Ind. 2009). “[W]e have previously held that the recommendation by 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.” *A.D.S.*, 987 N.E.2d at 1158-59.

[27] Here, FCM Colley testified that termination of Mother’s parental rights was in Children’s best interests because Children needed a stable home and a drug-free environment, which Mother was unable to provide. Tr. Vol. 2. at 132. The CASA also testified that termination of Mother’s parental rights is in Children’s best interests so that they can have “a safe and secure home.” *Id.* at 142. The trial court found that “[FCM Colley] and the CASA believe it is in [C]hildren’s best interest to terminate the parent-child relationship.” Appealed Order at 3. The FCM’s and CASA’s testimony in support of termination, combined with

the trial court's conclusion that there is a reasonable probability that the conditions that resulted in the Children's removal from or reasons for placement outside Mother's home will not be remedied, is sufficient to support the trial court's conclusion that termination is in Children's best interests. *See A.D.S.*, 987 N.E.2d at 1158-59; *see also A.I.*, 825 N.E.2d at 811 (concluding that CASA's and case manager's testimony, coupled with evidence that conditions resulting in continued placement outside of home will not be remedied, sufficient to prove by clear and convincing evidence termination is in child's best interests); *McBride v. Monroe Cnty. Office of Family & Children*, 798 N.E.2d 185, 203 (Ind. Ct. App. 2003) (concluding that CASA's and case manager's testimony that termination would serve children's best interests sufficient to support court's best interests determination).⁴

[28] Based on the foregoing, we affirm the involuntary termination of Mother's parental rights to the Children.

⁴ Mother asserts that termination is not in Children's best interests because DCS does not have a stable home for Children. Although Mother frames her assertion in terms of best interests, she essentially challenges the trial court's conclusion that DCS has a satisfactory plan for Children's care and treatment. In that regard, this Court has explained, "A DCS plan is satisfactory if the plan is to attempt to find suitable parents to adopt the children. [A] plan is not unsatisfactory if DCS has not identified a specific family to adopt the children." *In re A.S.*, 17 N.E.3d 994, 1007 (Ind. Ct. App. 2014) (quoting *Lang v. Starke Cnty. Office of Family & Children*, 861 N.E.2d 366, 375 (Ind. Ct. App. 2007), *trans. denied*) (citations omitted). Here, FCM Colley testified that DCS had started the process of locating an adoptive home for Children. Tr. Vol. 2 at 133. Accordingly, the trial court did not err in concluding that DCS had a satisfactory plan for Children's care and treatment.

[29] Affirmed.

Bailey, J., and Pyle, J., concur.