



IN THE
Indiana Supreme Court

Supreme Court Case No. 22S-JT-77

In re the Termination of the Parent-Child
Relationship of I.L., O.L., V.N., and M.P.N. (Minor
Children) and S.T. (Mother);

S.T. (Mother),
Respondent-Appellant,

—v—

Indiana Department of Child Services,
Petitioner-Appellee.

Decided: March 2, 2022

Appeal from the Monroe Circuit Court
Nos. 53C07-1911-JT-651, 53C07-1911-JT-652,
53C07-1911-JT-653, 53C07-1911-JT-654
The Honorable Stephen R. Galvin, Judge

On Petition to Transfer from the Indiana Court of Appeals,
No. 21A-JT-418

Per Curiam Opinion

Chief Justice Rush and Justices David, Massa, Slaughter, and Goff concur.

Per curiam.

In March 2020, in response to the COVID-19 public health emergency, this Court granted emergency relief to Indiana trial courts under Indiana Administrative Rule 17. The relief provided to the Monroe County Courts included authorization for courts in civil cases to “allow parties to appear remotely via CourtCall or conference call to the extent a party’s constitutional rights would not be violated[.]” See March 18, 2020 order in case no. 20S-CB-138.

Here, the Monroe Circuit Court terminated Mother’s parental rights to her four children after holding a remote video hearing in January 2021. Mother appealed, claiming that holding the hearing over a remote videoconferencing platform violated her constitutional due process rights and that the evidence was insufficient to support termination. The Court of Appeals affirmed the trial court in all respects. *In re I.L.*, 177 N.E.3d 864, 867 (Ind. Ct. App. 2021).

As to Mother’s due process argument, the Court of Appeals weighed the serious safety concerns regarding in-person hearings during the COVID-19 pandemic; the important State interest in prompt adjudication of child welfare matters; and the risk of error created by the remote nature of the hearing. It found that any errors in the trial proceedings did not deprive Mother of an opportunity to be heard in a meaningful time and manner, noting that each of the errors Mother identified on appeal was promptly addressed by the trial judge. *Id.* at 870–72. The Court of Appeals also rejected Mother’s challenge to the sufficiency of the evidence. Mother sought transfer on the due process issue but did not renew her argument on sufficiency.

Being duly advised and having concluded the Court of Appeals correctly decided the due process issue, we grant transfer and expressly adopt and incorporate by reference Part I of the Court of Appeals’ opinion as Supreme Court precedent. Ind. Appellate Rule 58(A)(1). In all other respects, we summarily affirm the Court of Appeals opinion. App. R. 58(A)(2).

Rush, C.J., and David, Massa, Slaughter, and Goff, JJ., concur.

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