MEMORANDUM DECISION

IN THE
Court of Appeals of Indiana

In the Matter of the Termination of the Parent-Child Relationship of B.A. (Minor Child);

F.A. (Mother),

Appellant-Respondent,

v.

Indiana Department of Child Services,

Appellee-Petitioner,

March 1, 2024

Court of Appeals Case No.
23A-JT-1932

Appeal from the Lawrence Circuit Court

The Honorable Nathan G. Nikirk, Judge

The Honorable Anah Hewetson Gouty, Referee

Trial Court Cause No.
47C01-2212-JT-455

Memorandum Decision by Judge Tavitas
Judges Mathias and Weissmann concur.

Tavitas, Judge.

Case Summary

[1] F.A. ("Mother") appeals the trial court's termination of her parental rights to her child, B.A. ("Child"). Mother challenges the admission of a Client Compliance Report regarding drug testing and the drug test results. Mother also argues that her due process rights were violated by the admission of the same exhibits. We conclude that the trial court did not abuse its discretion by admitting the exhibits and that Mother's due process rights were not violated. Accordingly, we affirm.

Issues

[2] Mother raises two issues, which we restate as:

I. Whether the trial court abused its discretion by admitting the Client Compliance Report and drug test results.

II. Whether Mother's right to due process was violated regarding the admission of the Client Compliance Report and drug test results.

Facts

[3] The Child was born in January 2021 to Mother and D.O. ("Father").[1] On August 28, 2021, the Department of Child Services ("DCS") removed the Child from Mother's care after Mother posted a picture of the Child on social media in which the Child was lying next to a pipe that Mother used to smoke marijuana. Mother admitted to using methamphetamine and marijuana. According to Mother, she used methamphetamine "here and there." Tr. Vol. II p. 13. At that time, Mother tested positive for THC,[2] amphetamine, and methamphetamine.

[4] DCS filed a petition alleging that the Child was a child in need of services ("CHINS") on August 30, 2021. Mother admitted the allegations of the petition, and the trial court adjudicated the Child as a CHINS on October 21, 2021. The November 17, 2021 dispositional decree ordered Mother, in part, to: (1) refrain from consuming illegal controlled substances and alcohol; (2) complete a parenting assessment and successfully complete any recommendations based upon the parenting assessment; (3) complete a substance abuse assessment and successfully complete all treatment recommendations; (4) submit to random drug screens; (5) complete a

[1] Father's parental rights were terminated, and he is not a party to this appeal.

[2] Tetrahydrocannabinol, commonly abbreviated as THC, is the main active chemical in marijuana. *Medina v. State*, 188 N.E.3d 897, 900 n.1 (Ind. Ct. App. 2022).

psychological evaluation and all recommendations; (6) attend all scheduled visitations with the Child; and (7) participate in home-based casework.

[5] Throughout the proceedings, Mother struggled with substance abuse. Mother consistently tested positive for THC. In the Spring of 2022, Mother also tested positive for methamphetamine again, and Mother told FCM Kerr that she "relapsed with meth . . . ." *Id.* at 104. Mother entered an inpatient treatment program at Centerstone in June 2022. Mother, however, left the inpatient treatment facility after approximately one week because she missed her boyfriend and family, and she "didn't feel like there was a reason for [her] to be in there." *Id.* at 20.

[6] Mother again tested positive for methamphetamine in July 2022, August 2022, and October 2022. Mother entered a second inpatient treatment program at Centerstone in October 2022. Mother completed the program, but Mother failed to complete the follow up outpatient treatment program. When Mother met with the group leader for the intensive outpatient ("IOP") class, Mother disclosed ongoing use of "Delta 8."[3] *Id.* at 54. Mother was not allowed to participate in the IOP program because of the ongoing substance abuse, but

[3] "Delta-8 THC (or delta-8 tetrahydrocannabinol) is a naturally occurring chemical compound, called a cannabinoid, that's found in traces in hemp and cannabis (marijuana) plants." https://www.webmd.com/mental-health/addiction/what-is-delta-8 [https://perma.cc/ZA5S-JWB4] (last visited Feb. 16, 2024).

instead was referred to a "mapping group,"[4] which is a "precursor for IOP." *Id.* Mother, however, never attended the mapping group. Mother's last therapy session was in December 2022, and Mother was not receiving any "relapse prevention care." *Id.* at 24. During a home visit in February, Family Case Manager ("FCM") Debra Kerr noted that the inside of Mother's home "strongly smell[ed] of marijuana." *Id.* at 116. Between January 2023 and May 2023, Mother consistently tested positive for THC and often tested positive for methamphetamine. In February 2023, Mother also tested positive for Tramadol.[5]

[7] Amanda Bohall, a home-based caseworker, worked with Mother for approximately one year. Mother's participation was inconsistent until after her first inpatient treatment. Bohall worked with Mother on maintaining healthy relationships and setting boundaries, among other things. Bohall suspected domestic violence in Mother's relationship with her boyfriend. Bohall often saw visible bruises on Mother, and Mother's explanations were not consistent with the bruising. Mother told Bohall and FCM Kerr that she locked herself in a camper for safety to get away from her boyfriend. In August 2022, Mother told FCM Kerr that Mother drank her boyfriend's alcohol in the refrigerator; Mother drank too much; Mother and her boyfriend got into an argument; and

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[4] The mapping group is "a group that clients would kind of process why they made decisions or what the outcome was of the decisions they made." Tr. Vol. II p. 54.

[5] "Tramadol is a prescription pain medication and a Schedule IV controlled substance." *Erickson v. State*, 72 N.E.3d 965, 969 n.1 (Ind. Ct. App. 2017) (citing Ind. Code § 35-48-2-10(g)), *trans. denied*.

the police were called. Mother made no progress on domestic violence issues during her work with Bohall. Bohall also worked with Mother on her sobriety. Although Mother was engaged in the discussions, Mother did not make significant progress.

[8] Mother consistently visited the Child, and her interactions with the Child were positive and appropriate. At some point, Mother's supervised visitations were changed to monitored visitations with the visitation supervisor "just popping in." *Id.* at 16. After a failed drug screen for methamphetamine, however, the visitations were changed back to supervised visitations in May 2022. In January 2023, the trial court reduced the supervised visitations from twice a week to once a week.

[9] In August 2022, the State charged Mother with theft, a Level 6 felony, for stealing from her employer, Dollar General. Mother pleaded guilty to theft, a Level 6 felony, and the trial court sentenced her to 910 days with 908 days suspended and one year of supervised probation. Mother's probation began in January 2023. According to Mother's probation officer, Mother submitted two drug screens through probation and tested positive for marijuana.

[10] DCS filed a petition to terminate Mother's parental rights on December 9, 2022. The trial court held fact-finding hearings on June 2, 2023, and June 7, 2023. At the fact-finding hearing, Mother testified that she had been living with her boyfriend for three years and that she had been employed at Arby's for two months. Mother further testified that she has been diagnosed with "ADHD,

borderline personality disorder, bipolar and oppositional defiant disorder and ADD." *Id.* at 25. She takes "six or seven different pills" every day. *Id.* at 37.

[11] As for her substance abuse, Mother acknowledged using marijuana throughout the proceedings but claimed that she stopped using marijuana three weeks before the fact-finding hearing. Mother claimed to have used methamphetamine "maybe one time" since the Child was removed from her care. *Id.* at 13. Mother later testified that she had not used methamphetamine in "maybe, like, between seven months and a year." *Id.* at 23. Mother, however, also testified that, "after using [methamphetamine] for so long, it started affecting [her] differently. Like it doesn't make [her] a happy person anymore. It makes [her] very mean and angry, and it destroys [her] body." *Id.* at 43. Mother felt that she would use methamphetamine if she did not smoke marijuana and that she did not "know how to handle [her] emotions without marijuana." *Id.* at 35. Mother claimed that therapy "just doesn't work for [her]." *Id.* at 36.

[12] Although Mother admitted to her marijuana usage, Mother disputed the accuracy of the DCS drug screens that were positive for methamphetamine. Mother claimed that, for the "past four to five months," she had been filling her drug screen tubes with water instead of saliva, but that the tests were still "coming back for meth."[6] *Id.* at 28. Mother also disputed the accuracy of tests

[6] The tests were also positive for marijuana.

that were positive for methamphetamine but negative for amphetamine. According to Mother, "I'm not a scientist, but I know that you can't test positive for methamphetamine without amphetamine." *Id.* at 34.

[13] During the June 2nd hearing, DCS noted that Cordant Health Solutions ("Cordant"), the drug screen provider for DCS, had not yet provided the "complete certified drug screen packet . . . ." *Id.* at 83. At the start of the June 7th hearing, DCS noted that it was still having difficulty obtaining the certified drug test records from Cordant. As a result, DCS made the following motions:

> [M]y first Motion is to ask the Court to recess and reset this beyond the 180 days and make a finding of good cause to do so based on my inability to get those records. If the Court does deny that I would just ask that the evidence be left open until close of business today, in case I get those records today. If I can admit those. Those are the only two Motions I have.

Id. at 137-38.

[14] Mother objected to "holding this case up beyond the 180 days"[7] and stated:

> Further, leaving evidence open would mean -- we would ask that we have the opportunity to, A, view the evidence and then, B, question based on the evidence, which is the due process right of [Mother], if you were going to allow the evidence to stay open

[7] Indiana Code Section 31-35-2-6(a)(2) requires the fact-finding hearing to be completed "not more than one hundred eighty (180) days after a petition [for termination of parental rights] is filed." At the time of Mother's fact-finding hearing, the statute further provided that: "If a hearing is not held within the time set forth in subsection (a), upon filing a motion with the court by a party, the court shall dismiss the petition to terminate the parent-child relationship without prejudice." Ind. Code § 31-25-2-6(b).

> until the close of business today. I just don't know how that's practical or possible given the hearing date has been set.

Id. at 138. The trial court denied DCS's motion to continue but left the evidence open until 3:00 p.m. that day. The trial court noted that, if the documents arrived, Mother would be given the opportunity to "cross-examine, redirect, whatever evidence would be put in just to lay the proper record for everyone . . . ." *Id.* at 153.

[15] The trial court reconvened the proceedings at 3:00 p.m. DCS moved to admit Exhibit C, a Client Compliance Report for Cordant drug screens with a certifying affidavit, pursuant to Evidence Rule 803(6) and Evidence Rule 902(11). Mother objected due to "lack of foundation" and "[n]o sponsoring witness." *Id.* at 155. The trial court overruled Mother's objection.

[16] DCS then moved to admit Exhibit D, the drug test results with an affidavit from the certifying scientist. Mother again objected due to lack of foundation and no supporting witness. Mother also objected on the grounds that her due process rights were violated because she did not have an opportunity to question the "collection and methodology of collection of its contents." *Id.* at 158. The trial court overruled the objection. Mother then asked for the opportunity to produce a toxicology expert. DCS noted that the drug screens were provided to Mother during discovery and that Mother could have "subpoenaed the toxicologist prior to today." *Id.* at 159. The trial court denied Mother's request

to "go beyond 180 days" and noted that Mother was "on notice that these records were coming in, or potentially could." *Id.*

[17] On July 14, 2023, the trial court entered an order terminating Mother's parental rights. The trial court found, in part:

> Mother has not remained sober from marijuana at any point during the CHINS proceeding, has positive screens with the presence of Methamphetamine and Amphetamine as recent as February 22, 2023, positive screens for the presence of Methamphetamine as recent as May 3, 2023, has not shown ability to keep [the Child] safe from domestic violence, and has not followed through with recommended mental health and substance use treatment after her inpatient treatment.

Appellant's App. Vol. II p. 46. Mother now appeals.

Discussion and Decision

I. Admission of DCS Exhibits C and D

[18] Mother challenges the admission of DCS Exhibit C—the Client Compliance Report—and DCS Exhibit D—the drug test results. Trial courts have broad discretion whether to admit or exclude evidence. *In re K.R.*, 154 N.E.3d 818, 820 (Ind. 2020). We review decisions to admit evidence for an abuse of discretion. *Id.* "An abuse of discretion occurs when the decision is clearly against the logic and effect of the facts and circumstances and the error affects a party's substantial rights." *Id.*

[19] Hearsay is an out-of-court statement offered in evidence to prove the truth of the matter asserted. Ind. Evid. Rule 801(c). Although hearsay evidence is generally inadmissible, *see* Ind. Evid. Rule 802, DCS sought the admission of Exhibits C and D pursuant to Indiana Evidence Rule 803(6) and Evidence Rule 902(11). Rule 803(6) provides the following records are not excluded as hearsay regardless of whether the declarant is available as a witness:

> Records of a Regularly Conducted Activity. A record of an act, event, condition, opinion, or diagnosis if:
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> (A) the record was made at or near the time by—or from information transmitted by—someone with knowledge;
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> (B) the record was kept in the course of a regularly conducted activity of a business, organization, occupation, or calling, whether or not for profit;
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> (C) making the record was a regular practice of that activity;
>
> (D) all these conditions are shown by the testimony of the custodian or another qualified witness, or by a certification that complies with Rule 902(11) or (12) or with a statute permitting certification; and
>
> (E) neither the source of information nor the method or circumstances of preparation indicate a lack of trustworthiness.

[20] "In essence, the basis for the business records exception is that reliability is assured because the maker of the record relies on the record in the ordinary course of business activities." *In re Termination of Parent-Child Relationship of*

E.T., 808 N.E.2d 639, 643 (Ind. 2004). In *K.R.*, our Supreme Court resolved a split of authority regarding the admissibility of drug test reports and concluded that the drug test records in a termination of parental rights case fell under the hearsay exception for records of a regularly conducted activity. 154 N.E.3d at 820. The Court held that "drug test reports are required for a laboratory that provides drug testing services to operate, both to keep necessary certifications and as a practical matter." *Id*. *at* 821. The Court also concluded that, based upon the testimony of the laboratory director, the drug test reports were sufficiently reliable. Accordingly, the Court held that the trial court did not err by admitting the drug test records over the parents' objections.

[21] Here, DCS also sought to admit Exhibits C and D through Evidence Rule 902(11), which provides that the following evidence is "self-authenticating" and requires "no extrinsic evidence of authenticity in order to be admitted":

> Certified Domestic Records of a Regularly Conducted Activity. Unless the source of information or the circumstances of preparation indicate a lack of trustworthiness, the original or a copy of a domestic record that meets the requirements of Rule 803(6)(A)-(C), as shown by a certification under oath of the custodian or another qualified person. Before the trial or hearing, the proponent must give an adverse party reasonable written notice of the intent to offer the record—and must make the record and certification available for inspection—so that the party has a fair opportunity to challenge them.

"Self-authentication does not guarantee admissibility; rather, it relieves the proponent from providing foundational testimony." *Wells Fargo Bank, N.A. v.*

Hallie, 142 N.E.3d 1033, 1038 (Ind. Ct. App. 2020). *Id.* "Evidence will be excluded if the source of information contained in the record or the circumstances of its preparation indicate a lack of trustworthiness." *Id.*

[22] Mother makes several arguments regarding the exhibits: (1) the certifications required by Evidence Rule 902(11) were not properly signed; (2) the exhibits were not trustworthy; and (3) Mother did not have a fair opportunity to inspect the exhibits. We will address each argument separately.

A. Proper Signature

[23] Mother argues that Exhibits C and D were inadmissible because the certifications do not bear the signature of the affiants or the notary public. Mother concedes, however, that "the electronic copy of the affidavits" sent to her trial counsel included the proper digital signatures. Appellant's Br. p. 22. We agree with Mother that the documents actually admitted into the trial record are the pertinent documents here. Mother, however, did not object to the admission of the exhibits on this basis at trial.

[24] The failure to object to the admission of evidence at trial normally results in waiver and precludes appellate review. *In re Des.B.*, 2 N.E.3d 828, 834 (Ind. Ct. App. 2014). Further, a party "may not argue one ground for an objection to the admission of evidence at trial and then raise new grounds on appeal. This ensures that a trial judge is fully alerted to the legal issue being raised." *Id.* at 834-35 (quoting *Konopasek v. State*, 946 N.E.2d 23, 27 (Ind. 2011)). By failing to

object and alert the trial court to the issue, Mother has failed to preserve this issue for appellate review. *See, e.g.*, *id*. at 835.

B. Trustworthiness of the Exhibits

[25] Next, Mother argues that the exhibits were not trustworthy because: (1) some of the documents in Exhibit D indicate that Mother tested positive for methamphetamine but negative for amphetamine, which according to Mother, indicates untrustworthiness; (2) Mother contends that she tampered with samples for several months prior to the fact-finding hearing, but she continued to test positive for methamphetamine; (3) Mother tested negative for methamphetamine in her probation drug screens; (4) some of the evidence in Exhibit C conflicts with the evidence in Exhibit D; and (5) some documents are missing from Exhibit D.

[26] Mother failed to object to the admission of the exhibits based upon lack of trustworthiness. In discussing the exhibits, Mother, however, did mention at trial "anomalies within the results . . . ." Tr. Vol. II p. 158. Accordingly, despite the lack of a specific trustworthiness objection, we will address the issue.

[27] An analysis of Mother's arguments requires a short explanation of the exhibits. Exhibit C includes an affidavit from Cordant's custodian of records and legal coordinator and Cordant's Client Compliance Report, which lists whether a drug testing telephone call from Mother was required, whether Mother called, whether a test was required, whether a test was received, and the test result from October 2021 to June 2023. A sample of the report follows:

Date	Call Required	Did Call	Test Required	Test Received	Test Result
12/14/2022	Yes	Yes	No	No	
12/13/2022	Yes	Yes	Yes	ANC13110B	Abnormal
12/12/2022	Yes	Missed	No	No	
12/11/2022	No	No	No	No	
12/10/2022	No	No	No	No	
12/9/2022	Yes	Yes	No	No	
12/8/2022	Yes	Missed	Yes	Missed	

Ex. Vol. I p. 79. The twenty-three-page report includes data from hundreds of days and dozens of drug tests.

[28] Exhibit D includes an affidavit from the certifying scientist and more than 300 pages of the drug test results with the corresponding chain of custody documents, process acknowledgement forms signed by Mother and the collector of the sample, and consent to release documents signed by Mother. The affidavit details Cordant's standard procedures for conducting the tests and confirmation testing.

[29] We begin with Mother's contention that, of the nineteen[8] drug screens positive for methamphetamine, thirteen were negative for amphetamine. Mother contends that this fact suggests untrustworthiness of the testing. Mother, however, presented no evidence whatsoever that a positive test result for amphetamine was required for a credible positive test result for

[8] Our calculations of the number of test results positive for methamphetamine do not match Mother's calculations.

methamphetamine. Mother's argument is based solely upon her testimony. The trial court was not obligated to believe Mother's assertions.

[30] Next, Mother testified that she tampered with the testing samples for the "past four to five months" by substituting saliva for water, but the drug tests were still positive for methamphetamine. Tr. Vol. II p. 28. Again, this argument is based solely upon Mother's testimony, and the trial court was not obligated to believe Mother's assertions.

[31] Mother further argues that the exhibits are untrustworthy because Mother tested negative for methamphetamine in her probation drug tests. Mother's probation began in January 2023. At the June 2023 hearing, Mother's probation officer testified that Mother had submitted to two drug screens through probation and tested positive for marijuana. As the trial court noted in its findings, the two probation drug screens were scheduled, not random. Further, the dates of the drug screens are not evident in the record, and we note that Mother also tested negative for methamphetamine in some of the Cordant drug tests during this time period. The fact that two probation drug tests were negative for methamphetamine does not indicate that the Cordant test results were untrustworthy.

[32] Mother next identifies twelve drug tests that are not listed in Exhibit C, but the results of which are included in Exhibit D. While we acknowledge some inconsistencies between Exhibit C and Exhibit D, these inconsistencies do not indicate that the drug test results were untrustworthy. Again, we note that

Exhibit C involved the records of hundreds of dates, and Exhibit D involved hundreds of pages of documentation for Mother's drug test results. The admissibility of such evidence does not require one-hundred percent accuracy. The inconsistencies are, to be sure, unfortunate. Such inconsistencies, however, go to the weight of the evidence, not the admissibility. *See, e.g.*, *Shelby v. State*, 986 N.E.2d 345, 360 (Ind. Ct. App. 2013) (noting that inconsistencies in evidence go only to the weight of such evidence, not its admissibility), *trans. denied*.

[33] Finally, out of hundreds of pages of documentation, Mother also identifies twenty-three drug tests in Exhibit D that are missing one or more pages of documentation, such as the consent to release, chain of custody documentation, or lab analysis for certain individual tests. Again, these issues "go to the weight of the evidence and not to admissibility." *K.R.*, 154 N.E.3d at 822. Accordingly, Mother's argument regarding the trustworthiness of Exhibits C and D fails.

C. Fair Opportunity to Inspect

[34] Mother argues that she "had only four hours to inspect approximately 335 pages of records" and that she was not given a fair opportunity to inspect the records. Appellant's Br. p. 29. Evidence Rule 902(11) requires that, "[b]efore the trial or hearing, the proponent must give an adverse party reasonable written notice of the intent to offer the record—and must make the record and

certification available for inspection—so that the party has a fair opportunity to challenge them."

[35] During the fact-finding hearing, DCS asserted that Mother had been provided with the exhibits, except for the certifications, during discovery, and Mother did not dispute that assertion. Further, DCS identified the drug tests on its exhibit list. It was clear during the entire hearing that DCS was struggling to obtain the certifications from Cordant, but DCS was ultimately able to obtain the certifications on the last day of the fact-finding hearing.

[36] Most of Mother's concerns relate to the content of the exhibits, but Mother was well aware of these issues prior to receiving the certifications. Despite these concerns, Mother did not present any witness or evidence to attack the drug test results. Although Mother complains that she only had four hours to inspect the exhibits, it is clear that Mother had quite some time to inspect the drug test results to prepare for the hearing; Mother was only missing the certifications. Mother has not shown how the short notice regarding obtaining the certification affected her substantial rights. *See, e.g.*, *L.H. v. State*, 682 N.E.2d 795, 800 (Ind. Ct. App. 1997) (finding that the party failed to demonstrate prejudice where the party received the report two and one-half hours before the hearing); *Carmichael v. Kroger Co.*, 654 N.E.2d 1188, 1190-91 (Ind. Ct. App. 1995) (rejecting argument that the party was not provided with a fair opportunity to challenge exhibits where the party "never advanced a challenge to the authenticity of the exhibits and has not shown how the short notice

affected her substantial rights"), *trans. denied*;. Accordingly, we conclude that the trial court did abuse its discretion by admitting DCS Exhibits C and D.

II. Mother's Due Process Rights

[37] Next, Mother argues that her due process rights were violated because she was denied "reasonable notice and an opportunity to be heard on the trustworthiness of the drug screening results." Appellant's Br. p. 29. "[T]he termination of a parent-child relationship by the State constitutes the deprivation of 'an important interest warranting deference and protection,' and therefore '[w]hen the State seeks to terminate the parent-child relationship, it must do so in a manner that meets the requirements of due process.'" *In re G.P.*, 4 N.E.3d 1158, 1165 (Ind. 2014) (quoting *In re C.G., Z.G. v. Marion Cnty. Dep't of Child Servs.*, 954 N.E.2d 910, 916-17 (Ind. 2011)). "Due process requires 'the opportunity to be heard at a meaningful time and in a meaningful manner.'" *In re K.D.*, 962 N.E.2d 1249, 1257 (Ind. 2012) (quoting *Mathews v. Eldridge*, 424 U.S. 319, 333, 96 S. Ct. 893, 902 (1976)). Due process in a termination of parental rights action turns on balancing the three *Mathews* factors: "(1) the private interests affected by the proceeding; (2) the risk of error created by the State's chosen procedure; and (3) the countervailing governmental interest supporting use of the challenged procedure." *Id.*

[38] The "private interest affected by the proceeding is substantial—a parent's interest in the care, custody, and control of her child." *C.G.*, 954 N.E.2d at 917. The countervailing governmental interest—the State's *parens patriae* interest in

protecting the welfare of a child—is also substantial. *Id.* "Both the State and the parent have substantial interests affected by the proceeding" *Id.* at 917-18. "So, we turn to the third *Mathews* factor, the risk of error created by DCS's actions and the trial court's actions." *Id.* at 918.

[39] Mother contends that the risk of error was substantial because Mother's positive methamphetamine test result "plagued the CHINS proceeding." Appellant's Br. p. 31. Thus, Mother argues that, if she had been given reasonable notice and time to inspect the exhibits, she could have discovered the inconsistencies with the exhibits that she raises on appeal. As noted above, Mother was well aware of the Client Compliance Report and drug testing results as she received them in discovery, and the "[d]rug [s]creens" were listed on DCS's exhibit list. Appellant's App. Vol. II p. 38. Mother's testimony at the beginning of the fact-finding hearing questioned the results of the drug testing. Mother admits that she had four hours to review the certifications. Mother had the opportunity to raise her complaints about the drug testing and presented only her own testimony to challenge the testing. Despite her awareness of alleged issues with the testing before trial, Mother failed to present any expert testimony to challenge the drug test results. Under these circumstances, we conclude that the risk of error created by DCS's failure to provide the certifications of the exhibits until the last day of the fact-finding hearing was minimal. Accordingly, Mother has failed to demonstrate that her due process rights were violated.

Conclusion

[40] The trial court did not abuse its discretion by admitting DCS's Exhibits C and D. Further, Mother's due process rights were not violated by the admission of the exhibits. Accordingly, we affirm.

[41] Affirmed.

Mathias, J., and Weissmann, J., concur.

ATTORNEY FOR APPELLANT

Cara Schaefer Wieneke
Wieneke Law Office, LLC
Brooklyn, Indiana

ATTORNEYS FOR APPELLEE

Theodore E. Rokita
Attorney General of Indiana

David E. Corey
Supervising Deputy Attorney General
Indianapolis, Indiana