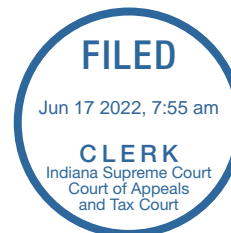


MEMORANDUM DECISION

Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.



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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.M.J. and
D.M. (Minor Children) and
C.M. (Mother) and D.M.
(Father),

Appellants-Respondents,

v.

Indiana Department of Child
Services,

Appellee-Petitioner

June 17, 2022

Court of Appeals Case No.
21A-JT-2780

Appeal from the Tippecanoe
Superior Court

The Honorable Bradley K. Mohler,
Special Judge

Trial Court Cause Nos.
79D03-2102-JT-13, -14

Crone, Judge.

Case Summary

- [1] C.M. (Mother) and D.M. (Father) (collectively the Parents) separately appeal the trial court's order involuntarily terminating their parental rights to their minor children D.M.J. and D.M. (the Children). Finding no error, we affirm.

Facts and Procedural History

- [2] The evidence and the undisputed findings of fact in support of the termination order follow.¹ The Children are twins and were born on February 1, 2019. On June 28, 2019, the Indiana Department of Child Services (DCS) removed the Children from the Parents after DCS responded to a report of neglect and found the Parents and Father's brother squatting at a house. The house was in disarray, with piles of clothing all over, old and rotted food in the kitchen, and vomit on two chairs. In addition, the illegal drug known as spice was present. The temperature in the house was eighty-seven degrees. The Children were found in a stroller, with full dirty diapers and bottles of curdled milk, in a room with Father's brother, who had overdosed on spice and was unconscious. The Children were taken by ambulance to a hospital where doctors determined that they had elevated temperatures due to overheating. Mother and Father were found in a back bedroom lying on a mattress together. Father reported that he

¹ In their briefs, Father and Mother have not set forth the facts in accordance with our standard of review in violation of Indiana Appellate Rule 46(A)(6), which has hindered our review.

was homeless. He was arrested for, charged with, and ultimately convicted of two counts of neglect of a dependent and trespass. Ex. Vol. 2 at 171. Mother reported that she and the Children had been staying in a domestic violence shelter and that she knew she should not have been in the residence as she had previously been warned. Mother was arrested for, charged with, and ultimately convicted of two counts of neglect of a dependent and trespass. *Id.* at 63.

Mother did not know whether she would be able to return to the shelter when she was released from incarceration.

[3] On July 1, 2019, DCS filed a petition alleging that the Children were children in need of services (CHINS). At that time, Mother was involved in a CHINS and termination case regarding the Children's older half-sibling. On July 18, 2019, Father was charged with possession of spice, for which he was convicted in November 2019. *Id.* at 178, 185.

[4] On August 15, 2019, the trial court determined that the Children were CHINS. In September 2019, Mother reported a domestic violence incident involving herself and Father to DCS family case manager (FCM) Ashley Hall. Mother alleged that Father had jumped on her and taken her food stamp card, her ID, and her bus pass. Tr. Vol. 2 at 170. FCM Hall observed marks on Mother's face. *Id.*

[5] On September 12, 2019, the trial court issued a dispositional order, requiring the Parents to maintain contact with DCS, complete a substance abuse assessment and all recommended services, complete a mental health assessment

and all recommended services, not possess or consume alcohol or illicit drugs, submit to random drug screens, obtain employment, obtain and maintain suitable and safe housing, attend parenting time, and participate in case management. The dispositional order also required Mother to participate in a domestic violence assessment and follow all recommendations. On September 23, 2019, Father was charged with possession of marijuana, for which he was convicted in November 2019. Ex. Vol. 2 at 207, 214.

- [6] By December 2019, the Parents had not obtained suitable housing, had not attended visitation, and had not complied with random drug screens. Mother was discharged from case management and domestic violence services due to noncompliance, and she failed to attend her mental health assessment. Father was incarcerated for most of this period.
- [7] By March 2020, the Parents had not established suitable housing but had attended most of the fully supervised visitation appointments, complied with random drug screens, and cooperated with services. FCM Hall provided a referral for domestic violence services for both Mother and Father, but neither ever participated in these services. Tr. Vol. 2 at 172. In April 2020, Mother gave birth to twins, who were removed from the Parents' care based on concerns with unstable housing.
- [8] In May 2020, the Parents established housing. By June, the Parents were attending some fully supervised visitation appointments but had missed several appointments. They were generally compliant with random drug screens, but

each had missed a screen. In June 2020, the Parents' recently born twins were returned to their care after the trial court determined that they were not CHINS. In July 2020, the Parents canceled four visitation appointments with the Children, resulting in discharge from the visitation provider. In August 2020, the Parents received an eviction notice.

[9] In September 2020, after a new visitation provider was assigned, the Parents cancelled two more visitation visits. The Parents had still not completed the initial assessments required by the dispositional order. Mother was compliant with random drug screens, and Father had missed one screen. "Additionally, 2 reports concerning domestic violence were made." Appealed Order at 8.² The FCM reported that the Parents did not "take responsibility for their actions" and were "verbally abuse and explosive" and also indicated that "Mother's intake for a psychological evaluation was delayed due to her being verbally aggressive with the provider." *Id.*

[10] By December 31, 2020, the Parents had missed more supervised visitation appointments than they had attended, and the "lack of consistent visits was confusing the [C]hildren." *Id.* at 9. The Parents were discharged by the visitation provider "due to lack of engagement and lack of communication." *Id.* at 11. At the time of discharge, the visitation provider "still had concerns about

² The order does not explain the details of these allegations, and neither do the parties. The order refers to a September 24, 2020 progress report as the source of this information, but we were unable to locate this document in the five volumes of exhibits.

[the Parents'] ability to parent the [C]hildren.” *Id.* Neither Mother nor Father had cooperated with services, and both had been discharged unsuccessfully from case management in November. Father had missed two drug screens. The FCM advised that the Parents had not made progress, some of the initial assessments had still not been completed, and “stability and consistency [were] lacking.” *Id.* at 9. The FCM also reported that Mother had twelve children and had custody over only the most recently born twins. At a team meeting in December 2020, the team members agreed that case management was no longer needed. Tr. Vol. 2 at 140.

[11] By February 2021, DCS reported that the Parents were engaging in visitation to some degree, initially refusing to increase parenting time, missing the parenting time for the Children’s birthday, and ending visits early. Appealed Order at 9-10. The Parents missed more than half the visits. Tr. Vol. 2 at 115-16. On at least one occasion, Mother did not allow the visitation supervisor into the home. Appealed Order at 12. During the visitations that were held at the home, the Parents “put the [C]hildren in chairs in front of the TV during much of the visits, i.e. not much interaction.” *Id.* The Children did not appear well bonded with the Parents but were “very bonded to placement.” *Id.* at 12-13; Tr. Vol. 2 at 119. The Parents “were discharged due to non-compliance and hostility.” Appealed Order at 13. Mother missed four out of five drug screens, and Father missed all five. The FCM reported that the Parents had made “minimal progress.” Appealed Order at 10. Some of the initial assessments and

psychological evaluations still had not been completed. The trial court reduced the frequency of visitation and increased the level of supervision.

[12] On February 22, 2021, DCS filed petitions to terminate the parent-child relationship between the Parents and the Children. Between March and May 2021, Father failed to attend any of the eight scheduled visitation appointments, and Mother attended two. *Id.* at 11. The Parents were offered visitations at the visitation provider's office, but they refused. At the two visits Mother participated in, she appropriately interacted with Children, and the Children seemed comfortable with her. However, the visitation supervisor never saw the Children interact with their younger siblings. Tr. Vol. 2 at 67. Due to the numerous missed visits, the Parents were discharged from service. As for drug screens, Mother tested positive for spice, and Father tested positive for spice twice.

[13] Between May and July 2021, Mother attended all six visitation appointments, and Father attended one and a half. Appealed Order at 12. The visitation provider observed that the visits went well, and she had no safety concerns. However, over the course of two years, the Parents were unsuccessfully discharged from eight or nine supervisors due to lack of participation. Tr. Vol. 2 at 141.

[14] The trial court held termination hearings on May 20, July 28, and August 18, 2021. At the July 28 hearing, DCS introduced evidence that the Parents had received another eviction notice and that eviction had been granted. Ex. Vol. 4

at 186. The court appointed special advocate (the CASA), who had been involved in the case since 2019, testified that termination of the Parents' parental rights is in the Children's best interests. Appealed Order at 12; Tr. Vol. 2 at 95. The CASA "cited numerous concerns with the Father/Mother, including the lack of information provided about their finances; limited contact with them; not being engaged with services; not being consistent with visits; and an overall lack of consistency." Appealed Order at 12. The CASA also testified that the Children were bonded to the foster parents. *Id.*

[15] The visitation supervisor from December 2020 to February 2021 testified that the Children "did not appear bonded to the Father/Mother but were very bonded with placement." *Id.* at 12-13. FCM Theron Long testified that it was in the Children's best interests that parental rights be terminated and that the Children be adopted by their foster parents. *Id.* at 13; Tr. Vol. 2 at 148. She further testified that the Parents never completed a parenting assessment or a substance use assessment and did not engage in individual counseling, and Mother had not completed domestic violence services. Tr. Vol. 2 at 138-39, 143. FCM Hall testified that she had made a domestic violence referral for Father, but he had not engaged in those services. *Id.* at 172. FCM Hall also testified that she had numerous concerns with the Parents, "including a lack of stability and consistency with visits and a lack of cooperation." Appealed Order at 14; Tr. Vol. 2 at 173.

[16] At the August 18 hearing, Father testified that he and Mother had been residing at the same address for approximately eleven months. Appealed Order at 14;

Tr. Vol. 2 at 182.³ He admitted that he had been behind on rent and was facing eviction but explained that he satisfied the judgment through two payments made by the Indiana Emergency Rental Assistance Program. He stated that he operated a T-shirt business from his home. “He acknowledged that he was discharged from several visit providers; that he refused to allow provider(s) into the home; that the children have been out of the home more than in the home; and that he refused to sign releases to allow DCS to monitor his progress on probation.” Appealed Order at 14. Father testified that he missed several scheduled visits with the Children because he was working on the residence.

[17] On November 17, 2021, the trial court issued its order terminating the Parents’ parental rights.⁴ The trial court found that the Parents “failed to comply with the terms of the Dispositional Order and failed to make significant and lasting progress toward the case goals, as they failed to fully comply with services and

³ In his brief, Father asserts that the evidence shows that they had been living at the same address for approximately fifteen months. Father’s Appellant’s Br. at 14 (citing Tr. Vol. 2 at 151). However, Father’s citation is to FCM Long’s testimony on cross-examination. On appeal, we consider the evidence in support of the termination order in accordance with our standard of review.

⁴ Although neither Mother nor Father has raised this issue, we observe that many of the trial court’s findings of fact merely set forth what the witnesses testified to. We have stated that “[a] court or an administrative agency does not find something to be a fact by merely reciting that a witness testified to X, Y, or Z.” *S.L. v. Ind. Dep’t of Child Servs.*, 997 N.E.2d 1114, 1122 (Ind. Ct. App. 2013). Instead, “[a] finding of fact must indicate, not what someone said is true, but what is determined to be true, for that is the trier of fact’s duty.” *Id.* “[T]he trier of fact must adopt the testimony of the witness before the ‘finding’ may be considered a finding of fact.” *Id.* Because neither Father nor Mother has challenged the findings of fact on appeal, any claim on this ground has been waived. *See In re S.S.*, 120 N.E.3d 605, 609 n.2 (Ind. Ct. App. 2019) (concluding that any error regarding the adequacy of the findings of fact based on the recitation of testimony was waived because neither parent challenged the findings). We remind the trial court that it must adopt evidence or testimony to make a finding based on that evidence or testimony.

failed to fully participate in services.” The trial court made the following conclusions:

3. That there is a reasonable probability that the conditions resulting in the removal of [the Children] from the home of the Father/Mother will not be remedied. [The Children] were removed from the home due to neglect, in that the [C]hildren were in the care of the Father/Mother; the Father/Mother were squatting at a house in Lafayette; the Father/Mother were both arrested; the Father’s brother was at the residence and had overdosed; the residence was in disarray; the [C]hildren were evaluated by medical professionals and found to have temperatures above 100 degrees (overheating); and the Father/Mother were homeless. Since that time, the [C]hildren have not been returned to the care of the Father/Mother.

Thereafter, the Father/Mother failed to participate in services; failed to attend all visitations with [the Children]; failed drug screens; were discharged from numerous providers; and failed to achieve long-term progress on the cases.

....

As stated above, the Father/Mother did not comply with and/or complete services. In summary, [the Children] have been removed from the care of the Father/Mother for the majority of their lives while the progress has been inconsistent, at best. By choosing not to fully participate in the CHINS case, the Father/Mother have demonstrated an unwillingness to change his/her behavior.

The Father/Mother have not maintained consistent visitation with [the Children] during the CHINS cases. The failure to exercise the right to visit one’s child demonstrates a lack of

commitment to complete the actions necessary to preserve the parent-child relationship.

4. That there is a reasonable probability that continuation of the parent-child relationship with the Father/Mother poses a threat to the well-being of [the Children]. As noted above, the Father/Mother have not participated in services to foster a relationship with the [C]hildren; have not attended all visitations; and have not fully participated in services to address his/her needs. As such, continuing the parent-child relationship with a parent who has exerted minimal and/or inconsistent effort to act as a parent poses a threat to the child's well-being. Any further delay in providing [the Children] permanency poses a threat to the children's well-being.

5. That the Court does not find convincing the argument proposed by the Father/Mother, in that they have the care and custody of their younger twins, and since the Court did not find the younger twins to be CHINS, they must be able to adequately parent [the Children]. While such argument may appear to have merit, it disregards the fact that the Father/Mother have not shown they can parent [the Children]; that the Father/Mother have not fully complied with services to benefit themselves and/or [the Children]; and that the Father/Mother failed to attend visits with [the Children] to build a bond with them.

Id. at 16-19 (citations omitted). The trial court also determined that termination was in the Children's best interests and that there is a satisfactory permanency plan for them. This appeal ensued.

Discussion and Decision

[18] 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 & Child.*, 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.*

[19] “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). Although Father and Mother assert that the trial court’s findings of fact are unsupported by clear and convincing

evidence, they do not challenge any specific finding of fact. When findings of fact are unchallenged, this Court accepts them as true. *In re 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*.

[20] A petition to terminate a parent-child relationship must allege, 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;

(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.

[21] Ind. Code § 31-35-2-4(b)(2). 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). Mother and Father challenge the trial court’s conclusions as to elements (B) and (C). We observe that 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 options (i) and (ii) by clear and convincing evidence. Father and Mother challenge both conclusions, but we may affirm if the findings of fact clearly and convincingly support either one.

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

[22] In determining whether there is a reasonable probability that the conditions that led to the Children’s removal and continued placement outside Parents’ 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 their 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 1132, 1134 (Ind. 2010)). In the second step, the trial court must judge a parent’s fitness at the time of the termination proceeding, 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)). “Additionally, a court may consider not only the basis for a child’s initial removal from the parent’s care, but also any reasons for a child’s continued placement away from the parent.” *In re D.K.*, 968 N.E.2d 792, 798 (Ind. Ct. App. 2012); *see also Matter of K.T.*, 137 N.E.3d 317, 327 (Ind. Ct. App. 2019) (“A trial court may consider conditions that emerge subsequent to initial removal and that would justify continued removal.”).

[23] Here, the Children were removed from the Parents’ care due to neglect, unsafe living conditions, homelessness, and the Parents’ arrests. Father and Mother contend that the reasons for the Children’s removal from the home have been

remedied.⁵ We are unpersuaded. Further, and notably, their arguments ignore that the reasons for the Children's *continued* placement away from them are significant considerations in determining whether termination of parental rights is warranted.

[24] Here, in the two years following their removal, the Children have not been returned to the Parents' care because the Parents failed to meaningfully engage in services, treatment, and visitation. When the Children were removed, DCS found them in a stroller, overheated, with curdled milk and dirty diapers, in a room with a person overdosed on spice. Yet, neither Mother nor Father completed a parenting assessment or participated in individual counseling.

[25] Although spice was found in the residence when the Children were removed and Father was convicted of possession of spice and marijuana in 2019, the Parents failed to address substance abuse concerns. Neither one completed a substance abuse assessment, and they both missed drug screens and tested positive for spice as late as the spring of 2021.

[26] Also, domestic violence became a concern when Mother met with FCM Hall with marks on her face and alleged that Father had jumped on her. Referrals

⁵ They argue that they are no longer homeless and that by the time of the termination hearing they had been living with the younger twins in independent housing for approximately fifteen months. Given that two eviction notices had been filed against the Parents in the year preceding the termination hearing, the stability of their housing remains in question. Indeed, FCM Long was concerned about the Parents' housing stability based on the pattern of eviction filings. Tr. Vol. 2 at 160.

were made for domestic violence services, but neither Mother nor Father completed them.

[27] Significantly, Mother and Father failed to consistently attend visitation with the Children. DCS referred them to eight or nine visitation providers, but they were discharged from all of them due to lack of participation. While Mother and Father were approved for semi-supervised visitation for a few months, they never progressed to drop-in level supervision, overnight supervision, or a trial home visit. During 2021, Father missed the vast majority of visitation, and Mother's attendance was also spotty. FCM Long opined that this lack of engagement was unlikely to be resolved. Tr. Vol. 2 at 143. The Children were almost five months old when they were removed from the Parents, and the Parents' failure to consistently engage with them has hindered their ability to bond with the Children. Indeed, a visitation provider testified that the Children did not appear well bonded with the Parents but were "very well bonded to placement." *Id.* at 119. Further, due to the inconsistent visitation, Mother and Father were unable to demonstrate their ability to appropriately and safely parent both the Children and their younger siblings.

[28] The Parents argue that because they have retained custody of the Children's younger siblings, they have shown that they are able to adequately care for the Children. But the Parents have not shown that they can adequately and safely care for *two* sets of twins. And it bears repeating that they never completed a parenting assessment. Furthermore, Mother has had twelve children and has custody of only the two youngest. Based on the Parents' failure to complete

services that addressed concerns existing at the time of removal and those that arose during the course of the CHINS case and their failure to consistently participate in visitation with the Children, we find no error in the trial court's conclusion that there is a reasonable probability that the conditions that resulted in the Children's removal from or the reasons for placement outside the Parents' home will not be remedied.

Section 2 –The trial court did not clearly err in concluding that termination is in the Children's best interests.

[29] Father and Mother both challenge the trial court's conclusion that termination is in the Children's best interests. In determining 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). "Clear and convincing evidence need not reveal that the continued custody of the parents is wholly inadequate for the child's very survival. Rather, it is sufficient to show by clear and convincing evidence that the child's

emotional and physical development are threatened by the respondent parent's custody." *K.T.K.*, 989 N.E.2d at 1230 (quoting *Bester*, 839 N.E.2d at 148). Also, "[p]ermanency is a central consideration in determining the best interests of a child." *In re G.Y.*, 904 N.E.2d 1257, 1265 (Ind. 2009).

[30] Here, the Children were removed from the Parents when they were almost five months old and have been in placement with their foster parents for two years. The Parents have failed to address concerns with substance abuse, domestic violence, and parenting. They have failed to maintain consistent contact with the Children. The Children are doing well in foster placement, and they are bonded to their foster parents. The foster parents are willing to adopt the Children and have already adopted the Children's older sibling. In addition, FCM Long and the CASA each testified that termination of parental rights was in the Children's best interests. Tr. Vol. 2 at 95, 148. The FCM's and the 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 Child's removal from or reasons for placement outside the home will not be remedied, is sufficient to support the trial court's conclusion that termination is in the 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, was sufficient to prove by clear and convincing evidence that termination was 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 was sufficient to support court's best interests determination). We affirm the trial court's termination order.

[31] Affirmed.

Vaidik, J., and Altice, J., concur.