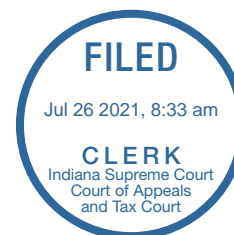


MEMORANDUM DECISION

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 A.L., A.F., and
As.F., Children in Need of
Services,

A.F., Mother,

Appellant-Respondent,

v.

Indiana Department of Child
Services,

Appellee-Petitioner.

July 26, 2021

Court of Appeals Case No.
20A-JC-2409

Appeal from the
Allen Superior Court

The Honorable
Charles F. Pratt, Judge

Trial Court Cause Nos.
02D08-2008-JC-297
02D08-2008-JC-298
02D08-2008-JC-299

Kirsch, Judge.

[1] A.F. (“Mother”) appeals the juvenile court’s adjudication that her children, A.L., Al.F., and As.F. (“Children”), were Children in Need of Services (“CHINS”). On appeal, Mother raises one issue: whether there was sufficient evidence to support the juvenile court’s adjudication that Children were CHINS.

[2] We affirm.

Facts and Procedural History

[3] Mother and D.L. are the parents of A.L., born January 24, 2004. *Appellant’s App. Vol. II* at 30, 180. Mother and S.S. are the parents of Al.F., born March 13, 2010, and As.F., born August 24, 2012.¹ *Id.* Mother and Children began staying with their maternal grandmother in Fort Wayne, Indiana in March of 2020 due to the Covid-19 pandemic. *Tr. Vol. 2* at 26, 44. Before then, for about four to five years, Mother and Children had lived in Chicago, Illinois but would often travel from Chicago back to Fort Wayne for periodic visits with maternal grandmother. *Id.* at 15. When living in Chicago over the previous four to five years, Mother and Children lacked housing stability and would often stay in hotels or motels, trains, or restaurants. *Id.* at 15, 24, 25-27, 83-84, 113. Mother and Children would stay or sleep in public or commercial buildings late into the night until they closed and would then go to sleep on trains. *Id.* at 37. Children did not attend school consistently when they were

¹ Neither father D.L nor father S.S. participate in this appeal.

living in Chicago, and A.L. felt that her absences, which in the last year amounted to half of the school year, had affected her grades. *Id.* at 16-17.

[4] Mother and Children would stay with their maternal grandmother in Fort Wayne for two to three weeks at time before they would return to Chicago. *Id.* at 83-84, 89-90. A.L. said that, over the past four or five years of going back and forth from Chicago to Fort Wayne, staying at maternal grandmother's offered "some sort of stability" but that the stability "would end shortly and then it would be long periods of uncertainty" where they would return to Chicago to stay on trains, in restaurants, or in hotels or motels. *Id.* at 15. A.L. indicated that she did not feel safe even though Mother "was a guard of some sort" because "there was no real way of feeling completely safe when you're just out there with strangers." *Id.* Al.F. and As.F. also reported sleeping in their car or on trains and that they missed a lot of school. *Id.* at 112-13. On one occasion, when the family was using a train to sleep, A.L. was molested by a stranger while Mother slept. *Id.* at 111. When A.L. woke Mother to tell her about what happened, Mother told her that "they were fine" because "the stranger was gone." *Id.*² On another occasion, A.L. witnessed someone "step in front of a train and kill himself." *Id.*

[5] Because of their transient lifestyle and lack of housing stability, Children would bathe using cleansing wipes and public bathrooms at locations like the public

² There is nothing in the record to show whether a report was ever made to any legal authorities regarding the molestation or a specific time frame as to when the molestation occurred.

library or department stores. *Id.* at 37. When Children stayed at their maternal grandmother's house in Fort Wayne, they had adequate food, but when they were with Mother in Chicago, they sometimes did not have food and would eat at fast food restaurants. *Id.* at 37, 110, 113. Mother would "buy random things" such as hula hoops but "never seemed to buy anything that was necessary such as food." *Id.* at 113.

[6] Children did not consistently attend school in Chicago because they would go back and forth to their maternal grandmother's house in Fort Wayne and did not have a "way for us to get back to Chicago to go to school." They would "miss school for days or weeks until there was money or some type of way to get there." *Id.* at 16. According to Mother's sister, Children were out of school more than they were in school. *Id.* at 84. In the last year alone, A.L. missed half of her junior year, which caused her to fall behind academically. *Id.* at 17. When A.L. was able to catch up she "would have A's and B's," but when she would miss school it caused her grades to drop to "D's and F's" because she could not turn her assignments in on time. *Id.* A1.F. and As.F. had similar experiences with absences in school. *Id.* at 18-19. Mother did not believe that there were any problems with Children's school attendance when they were in Chicago. *Id.* at 195-96.

[7] On August 1, 2020, law enforcement responded to a call at maternal grandmother's home. *Id.* at 60-62. A.L. had made arrangements for her and her two half-siblings to leave with their respective fathers, D.L. and S.S. *Id.* at 22-24, 30-32, 34, 68. Officer Trent Hullinger ("Officer Hullinger") of the Fort

Wayne Police Department was the first officer to respond to the call at maternal grandmother's home on August 1, 2020. *Id.* at 60-61, 64. He was not sure if the reason for the call was for "a custody exchange dispute" or "if there was a battery," and he spoke with Mother who said that A.L. had left maternal grandmother's home in a silver mustang with her father, D.L., and went to her paternal grandmother's home. *Id.* at 62. Other law enforcement officers went to paternal grandmother's home where father, D.L., and A.L. had gone. *Id.* At some point, father, S.S., also came to maternal grandmother's residence. *Id.* at 62-63.

[8] Officer Hullinger thought the situation raised "a lot of red flags" because there were "two (2) different fathers trying to get their kids at the same time," and A.L. was "telling officers at the other scene that there's neglect issues going on staying on trains, hotel, and, uh, not having a – a place to live, um, issues with having access to food." Law enforcement thought it was necessary to contact the Indiana Department of Child Services ("DCS") to address the custody issues and possibility of neglect. *Id.* at 63. Officer Hullinger did not think that father, D.L., was trying to kidnap A.L. because A.L. was "actively trying to go to father." *Id.* at 66. Officer Hullinger also thought it was a "red flag" because Children said Mother was lying about what she was telling the officers regarding the possible neglect and because A.L. had suicidal ideations. *Id.* at 67.

[9] Family Case Manager Grace Berg ("FCM Berg") arrived on the scene and learned that when father, D.L., tried to take A.L., a physical tug-of-war ensued

between D.L. and Mother and maternal grandmother. *Id.* at 99-100. Mother cooperated with law enforcement until DCS arrived. *Id.* at 63-64. A.L. said that the situation that day “went out of control,” that Mother “blew up,” and that Mother’s sister was eventually able to stop the physical tug-of-war over A.L. *Id.* at 19-20. A.L. had a “couple bruises along her neck after the tug-of-war. *Id.* at 22, 100. She described Mother as verbally abusive and “intimidating,” and said that while Mother had “never really hit [Children],” she had “threatened” to do so at times. *Id.* at 20.

[10] Officer Caleb Eash (“Officer Eash”) of the Fort Wayne Police Department also responded to the scene of the August 1 incident that at paternal grandmother’s residence, and he heard D.L. tell other officers that A.L. had suicidal ideations. *Id.* at 51. Officer Eash was also trained as a crisis intervention officer to identify individuals “in mental health crisis and . . . to identify what type of mental health crisis they’re going through and how we can try to help them.” *Id.* at 50. He spoke with A.L., and A.L. told him that about five weeks before the August 1 incident she was alone in the kitchen and that “she could not stop staring at a kitchen knife, and that she was thinking of hurting herself with it.” *Id.* at 53. A.L. told Officer Eash that she had suicidal thoughts whenever she was alone and that she “could not promise [Officer Eash] that if she went back to her mother’s that those thoughts wouldn’t come back.” *Id.* Officer Eash was concerned for A.L.’s safety because she “had a plan” and was “saying she couldn’t stop thinking about hurting herself with it, and that these come back to her every time she’s alone . . . even without the hectic situation going on.” *Id.*

at 55, 58-59. Mother and father, D.L., agreed that A.L. should see a therapist, and she was admitted to Parkview Health's Behavioral Unit. *Id.* at 53-54. A.L. reported that she was later diagnosed with post-traumatic stress disorder as a result of her experiences living in Chicago. *Id.* at 48. A.L., who was sixteen at the time, had felt suicidal and depressed since she was ten years old, and, at some point, tried to tell Mother about her suicidal thoughts, but Mother made her feel worse, so she did not bring it up again. *Id.* at 23, 35. She told a few of her friends about her depression but did not tell any of her friends about her suicidal thoughts or her home life because she did not want her friends to judge her. *Id.* at 32. A.L. felt that her time at Parkview Behavioral Health was beneficial to helping her cope with her situation. *Id.* at 23.

[11] Mother had provided a P.O. Box address to FCM Berg as her address in Chicago but never provided her with a lease, mortgage statements, or rent checks, and FCM Berg was concerned Children would be homeless and lack food when they returned to Chicago. *Id.* at 108, 110, 120. FCM Berg believed that Mother needed services and the coercive intervention of the juvenile court because the family was “gonna go back to Chicago . . . and they’re gonna be homeless and not have ample care for themselves,” and she did not feel that Mother would be able to properly care for Children without coercive court intervention. *Id.* at 111-12. Mother wanted to return to Chicago around Labor Day but was unsure how long they would stay in Fort Wayne because she wanted to be sure that her Chicago apartment was “up and running” and that Children could return to school safely. *Id.* at 71, 109, 151. Mother’s sister felt

that Mother needed help caring for Children, which included assistance with housing and employment. *Id.* at 84-86. Mother’s sister had attempted to help Mother but had her own children and had advised Mother to seek help from the State. *Id.* at 85. Mother had also lacked stable and consistent employment while the family was living in Chicago and, “to survive,” she at times relied on whatever maternal grandmother gave Mother and any child support from fathers, D.L. and S.S, neither of whom were current on their child support, *Id.* at 16.

[12] Mother denied that her Children ever experienced homelessness but admitted that she struggled financially at times because her education and work experience in marketing was susceptible to economic downturns and because both fathers, D.L. and S.S., were not current in their child support and did not help raise Children and did not seek visitation with Children. *Id.* at 137-38, 142-49. Mother’s financial difficulties caused her to live with friends for periods of time, but she said that Children always had a bedroom and always had their educational and medical needs met, although she could not provide addresses for the locations where she said she had lived. *Id.* at 150, 181-83. She believed that Children were confusing the overnight trips back to Fort Wayne to visit family or stays in hotels for work as homelessness, and that leading up to the August 1, 2020 incident, A.L. had been punished for being disrespectful to Mother and being lazy with her remote learning. *Id.* at 147-49, 152-53. Mother said that A.L. had not previously expressed to her any suicidal ideations or thoughts of self-harm. *Id.* at 153.

[13] On August 17, 2020, the juvenile court found that there was probable cause for DCS to file a petition alleging that Children were CHINS, and DCS filed its verified CHINS petition pursuant to Indiana Code section 31-34-1-1, alleging that Mother neglected Children on the basis that A.L. had been admitted to the Parkview Behavioral Unit for a week in August, that Children had been homeless for years in Chicago and reported going without food, and that Child A.L. had been scared to be released to Mother's care and expressed suicidal ideations. *Appellant's App. Vol. II* at 42-46, 53-54.³ In its "Order on Initial Hearing and Detention Hearing" issued that same day, among other things, the juvenile court entered a denial for Mother as to the allegations in the petition and authorized DCS to file an amended CHINS petition. *Id.* at 55-60. A.L. was removed from Mother's care and placed with father, D.L., while As.F. and Al.F. remained in Mother's care at that time.⁴ *Id.* at 58. Among other matters, in its September 10, 2020 "Order on Additional Initial Hearing," the juvenile court adjudicated Children as CHINS only as to fathers, D.L. and S.S, and, that same day, issued its "Order on Dispositional Hearing" ordering reunification services for the fathers. *Id.* at 93-97, 99-101. Mother admitted the allegations about the Children's birth dates and parentage. She also admitted that A.L.

³ The CHINS petition indicated that Children had been "removed from the parent, guardian, or custodian without the assistance of law enforcement." *Appellant's App. Vol. II* at 44.

⁴ On September 22, 2020, Al.F. and As.F. were placed with father, S.S. *Tr. Vol. 2* at 120-21.

was admitted to Parkview Behavioral Health for a week in August, but she denied the other allegations in the verified CHINS petition. *Id.* at 99.

[14] On September 11, 2020, DCS filed an amended verified CHINS petition, which added allegations that Mother had not properly enrolled Al.F. and As.F. for the 2020-21 school year, that Mother had not allowed DCS to communicate with Al.F. and As.F.'s prior school, had not answered the door for DCS on two separate occasions, had refused to sign a court-ordered release of educational information form, and had removed Children from the jurisdiction in violation of the juvenile court's order without the knowledge of DCS or the juvenile court. *Id.* at 105-09. The juvenile court held the fact-finding hearing over the course of three days on October 8, 26, and 29 of 2020. *Tr. Vol. 2* at 2.⁵ After the conclusion of the hearing, the court issued its order on December 1, 2020, which included findings and conclusions and adjudicated Children as CHINS pursuant to Indiana Code section 31-34-1-1. *Appellant's App. Vol. II* at 180-82.⁶ Mother now appeals.

⁵ The fact-finding hearing began on September 29, 2020, but the juvenile court granted DCS's motion to continue the start of the hearing to October 8, 2020. *Appellant's App. Vol. II* at 156-58; *Tr. Vol. 2* at 7-10. The juvenile court's order granting the continuance also authorized concurrent jurisdiction with respect to a paternity cause number in Allen County on the issue of custody as to child A.L. and father D.L. and authorized concurrent jurisdiction once "the Courts of Illinois and Indiana have addressed the issue associated with the Child Custody Jurisdiction law" as to children Al.F. and As.F. and father S.S. *Appellant's App. Vol. II* at 158.

⁶ On December 22, 2020, the juvenile court held the dispositional hearing and entered its dispositional order, which ordered reunification services for Mother. *Appellant's App. Vol. II* at 189-93. Mother's services included that she submit to a diagnostic assessment and follow all recommendations, follow all recommendations of Children's treatment plan, enroll in home-based services for assistance with budgeting, housing, employment, and community resources and to participate in and successfully complete the program, and ensure Children attend school daily. *Id.* at 189-90. Children remained with their respective fathers. *Id.* at 191. Mother was

Discussion and Decision

[15] Mother argues that the juvenile court’s adjudication of Children as CHINS was not supported by the evidence. CHINS proceedings are civil actions, and DCS must prove by a preponderance of the evidence that a child is a CHINS as defined by statute. *In re L.C.*, 23 N.E.3d 37, 39 (Ind. Ct. App. 2015) (citing *In re N.E.*, 919 N.E.2d 102, 105 (Ind. 2010)), *trans. denied*. When we review a CHINS determination, we neither reweigh the evidence nor judge the credibility of the witnesses. *Id.* We consider only the evidence that supports the juvenile court’s decision and the reasonable inferences drawn therefrom. *Id.* at 39-40.

[16] Where the trial court issues findings of fact and conclusions thereon, we apply a two-tiered standard of review. *In re R.P.*, 949 N.E.2d 395, 400 (Ind. Ct. App. 2011). We consider first whether the evidence supports the findings and then whether the findings support the judgment. *Id.* We will set aside the juvenile court’s findings and conclusions only if they are clearly erroneous and a review of the record leaves us firmly convinced that a mistake has been made. *Id.* “Findings are clearly erroneous only when the record contains no evidence to support them either directly or by inference.” *K.B. v. Ind. Dep’t of Child Servs.*, 24 N.E.3d 997, 1001-02 (Ind. Ct. App. 2015) (citation omitted). “A judgment is

also given supervised visitation. *Id.* at 192. The transcript filed in this appeal does not include a transcript of the dispositional hearing. On appeal, Mother does not challenge any of the services ordered in the dispositional order.

clearly erroneous if it relies on an incorrect legal standard.” *Id.* at 1002. Any issues not covered by the trial court’s findings are reviewed under the general judgment standard, “under which a judgment will be affirmed if it can be sustained on any legal theory supported by the evidence.” *In re S.D.*, 2 N.E.3d 1283, 1287 (Ind. 2014) (internal quotation marks omitted). As to any unchallenged findings, we “must accept these findings as true.” *In re S.S.*, 120 N.E.3d 605, 610 (Ind. Ct. App. 2019); *see also Madlem v. Arko*, 592 N.E.2d 686, 687 (Ind. 1992) (Unchallenged findings “must be accepted as correct.”).

[17] DCS had the burden of proving by a preponderance of the evidence that Children were CHINS. Ind. Code § 31-34-12-3. The juvenile court adjudicated Children to be CHINS pursuant to Indiana Code section 31-34-1-1, which provides as follows:

A child is a child in need of services if before the child becomes eighteen (18) years of age:

(1) the child’s physical or mental condition is seriously impaired or seriously endangered as a result of the inability, refusal, or neglect of the child’s parent, guardian, or custodian to supply the child with necessary food, clothing, shelter, medical care, education, or supervision:

(A) when the parent, guardian, or custodian is financially able to do so; or

(B) due to the failure, refusal, or inability of the parent, guardian, or custodian to seek financial or other reasonable means to do so; and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

Ind. Code § 31-34-1-1. The statute requires “three basic elements: that the parent’s actions or inactions have seriously endangered the child, that the child’s needs are unmet, and . . . that those needs are unlikely to be met without State coercion.” *In re S.D.*, 2 N.E.3d at 1287.

[18] “Although the acts or omissions of one or both parents can cause a condition that creates the need for court intervention, the CHINS designation focuses on the condition of the children rather than on an act or omission of the parent(s).” *In re K.P.G.*, 99 N.E.3d 677, 682 (Ind. Ct. App. 2018) (citing *In re N.E.*, 919 N.E.2d at 105), *trans. denied*. Therefore, “despite a ‘certain implication of parental fault in many CHINS adjudications, the truth of the matter is that a CHINS adjudication is simply that -- a determination that a child is in need of services.’” *Id.* (quoting *In re N.E.*, 919 N.E.2d at 105). The juvenile court need not wait until a tragedy occurs before intervening; parental action or inaction is sufficient to adjudicate a child as a CHINS. *In re A.H.*, 913 N.E.2d 303, 306 (Ind. Ct. App. 2009).

[19] Here, the juvenile court’s order adjudicating Children as CHINS found:

A. The Court finds the testimony of the child, [A.L.], credible.

B. From the testimony of [A.L.] the Court finds that [Children] when in Chicago, Illinois have been homeless. They have slept on the streets, in restaurants, hotels and trains.

C. [Mother] has travelled with [Children] from various locations in Chicago, Illinois to periodic stays with the maternal grandmother in Fort Wayne, Indiana.

D. While homeless in Chicago, [Children] often went without food.

E. On or about August 1, 2020, the patrolman from the Fort Wayne Police Department responded to two separate dispatches related to matters concerning [Children].

F. [Officer Eash], a trained crisis intervention officer for the Fort Wayne Police Department, transported [A.L.] to the Parkview Hospital for concerns associated with suicidal ideation.

G. [A.L.] contacted her estranged father in an effort to secure stability for herself and her siblings.

Appellant's App. Vol. II at 181.

[20] In addition, under the heading "Conclusions of the Court," the juvenile court also found and concluded, in pertinent part, that the following allegations in the amended CHINS petition were true:

7. [A.L.] was admitted to the Parkview Behavioral Unit for a week in August.

9. [Children] reported years of homelessness in Chicago, the family seeking shelter in train cars and other commercial businesses.

10. The child, [A.L.], reported going days at a time without food.

11. The child, [A.L.], reported she was scared to be released to [Mother's] care, and expressed suicidal ideations if she were to be released to [Mother].

19. [Mother] and her children, [As.F., Al.F., and A.L.], would benefit from the intervention of the Court in order to receive services necessary to ensure the safety and well-being of the children.

Id. at 107, 181.⁷

[21] Mother appears to challenge the juvenile court's finding that A.L. was scared to be released to Mother's care and A.L.'s expression of suicidal ideation if she were to be released to Mother's care. Mother contends that A.L.'s sole suicidal ideation was five weeks before the August 1, 2020 incident and that A.L. was

⁷ The juvenile court also specifically found that the following allegations in the amended CHINS petition were not sustained by a preponderance of the evidence: "No one was available to pick [A.L.] up when she was ready for discharge. . . . [Mother] has been physically abusive towards her daughter, [A.L.]. . . . [Mother] has not cooperated with the ongoing assessment regarding [Al.F.] and [As.F.] and has repeatedly denied [DCS] access to [Children], despite court orders requiring her participation. . . . [Al.F.] and [As.F.] are not properly enrolled for the 2020-21 Academic year. . . . On 9/10/2020 the Court again ordered [Mother] to participate in all announced and unannounced visits by [DCS] and allow [DCS] to communicate with the prior school of [Al.F.] and [As.F.]. . . . On 9/11/2020 [Mother] refused to answer the door on two separate occasions for [DCS] and later [Mother] refused to sign the court-ordered release of educational form. . . . [Mother] removed [Children] from the jurisdiction of the court against court order and without knowledge or permission of [DCS] or the Allen Superior Court. *Appellant's App. Vol. II* at 107, 181.

concerned about going home because she felt she betrayed Mother and that Mother would disown her as opposed to A.L. wanting to cause herself any harm. The record shows that Officer Eash, a trained crisis intervention officer and one of the officers who responded to the August 1 incident, heard father D.L. tell other officers that A.L. had suicidal ideations. *Tr. Vol. 2* at 51-52. Officer Eash spoke with A.L., and she told him that even though she did not think about harming herself on that day, she would have the same thoughts regarding self-harm if she were returned to Mother's care. *Id.* at 53. Officer Eash testified that he was concerned for A.L.'s immediate safety based on the specificity of her plan to harm herself with a kitchen knife. *Id.* at 55, 58-59. A.L. testified that, during the ride to Parkview Behavioral Health, her feeling of betrayal caused her to think she was "gonna get [Mother] in trouble. And it's just like *you're better off gone*, so. You know, the police officer was asking me questions and it was like *do you feel suicidal at this moment, and I'm like yes.*" *Id.* at 22 (emphasis added). Based on this evidence, Mother has not shown that the juvenile court's finding was clearly erroneous.⁸

[22] Mother also argues that DCS did not meet its evidentiary burden to prove Children were CHINS. She contends that this is so because there was no dispute that Children were provided with the necessary food, clothing, medical

⁸ Mother also asserts that we "should have reasons to doubt A.L.'s story" about the family's living situation in Chicago because A.L. admitted in her testimony at the fact-finding hearing that she no longer wanted to deal with Mother's strictness. To the extent this is a challenge to the juvenile court's specific finding that A.L.'s testimony was credible, we reject Mother's request to reassess and reweigh witness credibility and cannot say that the juvenile court's finding that A.L.'s testimony was credible was clearly erroneous.

care, education or supervision while they were living in Fort Wayne, that there was not a definite time frame for returning to Chicago, and that Mother disputed that there was any abuse or neglect occurring while the family lived in Chicago. We reject Mother's arguments because they are an impermissible request to reweigh the evidence. *See In re L.C.*, 23 N.E.3d at 39-40.

[23] DCS's basis for removal was alleged abuse and neglect that occurred in Chicago before DCS became involved with the family after responding to an incident on August 1, 2020. As previously set forth, the juvenile court's findings in support of its conclusion that Children were CHINS included that the juvenile court found A.L.'s testimony about Children's homelessness while they lived in Chicago credible, that Children reported years of homelessness in Chicago, seeking shelter in train cars and other commercial businesses, that A.L. reported Children went days at a time without food, that A.L. was scared to be released to Mother's care and expressed suicidal ideations if she were to be released to Mother's care, that Officer Eash transported A.L. to Parkview Behavioral Health for concerns associated with suicidal ideation, that A.L. was admitted to the Parkview Behavioral Health Unit for a week in August, that A.L. contacted her father, D.L., in an effort to find stability for herself and for Al.F. and As.F., and that the family would benefit from the juvenile court's intervention to receive necessary services to ensure Children's safety and well-being. *Appellant's App. Vol. II* at 107, 181.

[24] Here, the evidence showed that Children had lacked housing stability and had been chronically homeless for four to five years before the August 1, 2020

incident, which also included evidence of a lack of food and numerous absences from school. *Tr. Vol. 2* at 15-19, 24, 26-27, 41, 83, 110, 113. Children's sole source of consistent housing was their temporary stays in Fort Wayne with maternal grandmother. *Id.* at 83. Otherwise, Children lacked stable housing and lived on "the streets. . . . the trains mostly, restaurants, things like that." *Id.* at 15, 24, 26-27, 112-13. The lack of stable housing meant that Children were often out "in the middle of the night at like 3:00 in the morning and it's freezing and we're tired." *Id.* at 48. At one point, Children had to sleep where Mother worked, which resulted in Mother's termination from that job. *Id.* at 112. The family's transient lifestyle resulted in an incident in which a stranger molested A.L. when the family had to stay on a train, and Mother, who was sleeping at the time, told A.L. that because the stranger was gone, "they were fine." *Id.* at 111. A.L. also witnessed someone commit suicide by stepping in front of a train and did not feel completely safe with Mother. *Id.* at 15, 111.

[25] In addition, Mother planned to return to Chicago at some point as the family's visit at maternal grandmother's residence was only temporary. *Id.* at 71, 110, 123, 149-51. Mother never provided FCM Berg with a lease or rent payments and provided only a P.O. Box address. *Id.* at 108. The evidence at the fact-finding showed that Children would again lack stable housing and be subjected to Mother's instability and neglect when they returned to Chicago. *Id.* at 110. A.L. wanted to live with her father, D.L., and wanted Al.F. and As.F. to live with their father, S.S., because she did not want any of them to have to continue living with Mother's instability. *Id.* at 23-24, 37-38, 47-48. Mother

was not making any changes, and A.L. wanted Children to be safe from being homeless yet again. *Id.* at 34, 37-38, 46. As discussed above, A.L. also had suicidal ideations about harming herself with a kitchen knife five weeks before the August 1, 2020 incident and stated that those suicidal thoughts would return if she were released to Mother's care. *Id.* at 22-23, 43, 53. A.L. also suffered from post-traumatic stress disorder as a result of the transient lifestyle and instability that she experienced while in Mother's care. *Id.* at 48.

[26] The evidence presented at the fact-finding hearing further showed that Children's principal source of stability was residing with their maternal grandmother in Fort Wayne, but that stability was undermined whenever they returned to a homeless life in Chicago. Mother's sister testified that Mother needed help to care for Children and that Mother, in particular, needed assistance with housing and employment to give Children stability and to stay in school. *Id.* at 84-86. FCM Berg testified that coercive intervention was necessary because of the issues with housing instability and how this instability harmed Children. *Id.* at 110-12. Despite the evidence of the family's lack of housing stability, transient lifestyle, and Children's issues with school attendance, Mother denied being homeless and that Children had missed substantial amounts of school. *Id.* at 149, 195-96. Mother also eventually planned to return to Chicago. *Id.* at 149-51. DCS showed that Mother did not have a plan to secure housing or provide an otherwise stable living situation to protect Children from the instability of their transient lifestyle; thus, DCS met its burden to show that Mother's actions or inactions had seriously impaired or

endangered Children, that Children's needs had been unmet, and that their needs were unlikely to be met without coercive intervention.

[27] We conclude that the evidence and reasonable inferences favorable to the juvenile court's decision support the CHINS adjudication. When determining whether there is sufficient evidence to support a CHINS determination, we consider only the evidence most favorable to the judgment and the reasonable inferences to be drawn therefrom. *In re S.D.*, 2 N.E.3d at 1287. This Court will not reweigh the evidence or reassess the credibility of the witnesses. *Id.* at 1286. Therefore, we affirm the juvenile court's adjudication of Children as CHINS.

[28] Affirmed.

Altice, J., and Weissmann, J., concur.