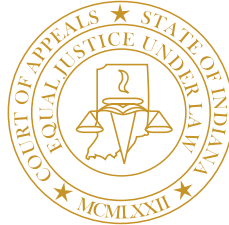


MEMORANDUM DECISION

Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision is not binding precedent for any court and may be cited only for persuasive value or to establish res judicata, collateral estoppel, or law of the case.



IN THE
Court of Appeals of Indiana

In the Matter of D.B. (Minor Child),

Child in Need of Services

and

A.B. (Mother),

Appellant-Respondent

v.

Indiana Department of Child Services,

Appellee-Petitioner



December 30, 2025

Court of Appeals Case No.
25A-JC-1123

Appeal from the Clark Circuit Court
The Honorable Lisa Garcia Reger, Judge

Trial Court Cause No.
10C04-2410-JC-189

Memorandum Decision by Judge Mathias
Judges Vaidik and Pyle concur.

Mathias, Judge.

- [1] A.B. (“Mother”) brings this *pro se* appeal following the trial court’s adjudication of her child, D.B. (“Child”), as a Child in Need of Services (“CHINS”). Mother raises five issues for our review, which we consolidate and restate as whether she has met her burden on appeal to demonstrate reversible error. We affirm.

Facts and Procedural History

- [2] The facts underlying the trial court’s adjudication that Child is a CHINS are not in dispute. In 2008, Mother gave birth to Child while married to Child’s biological father.¹ At some point, Mother and Child’s father divorced, and Child moved to North Carolina to live with his father. Mother, meanwhile, has lived in Tennessee at all relevant times.
- [3] Father physically abused Child, which on at least one occasion resulted in Child’s hospitalization. North Carolina authorities arrested Father, charged him with criminal counts, and had a no-contact order entered for Child’s protection. Child then moved to Indiana to live with his uncle in Clark County.

¹ Child’s father does not participate in this appeal.

[4] In October 2024, Child “pulled a knife” on his uncle inside their home, and law enforcement officers were contacted. Appellee’s App. Vol. 2, p. 83. Officers arrested Child, and the State initiated juvenile delinquency proceedings. Those proceedings resulted in, among other things, the juvenile court entering a no-contact order on the uncle’s behalf. Meanwhile, the juvenile court would not place Child with his father due to the existing no-contact order,² and Mother informed the juvenile court that she “was unwilling to take custody of her [C]hild[] as she feared for her safety should the [C]hild be returned to her care.” *Id.*

[5] The juvenile court then informed the Indiana Department of Child Services (“DCS”) that Child was to be released from custody and that a “foreseeable consequence[] of that release [is] the [C]hild would become homeless.” *Id.* Accordingly, DCS filed a petition alleging Child to be a CHINS. Mother later admitted to the allegations alleged in DCS’s petition. *Id.* at 82. After an ensuing fact-finding hearing, the court acknowledged Mother’s admission and her unwillingness to take custody over Child. The court then found Child to be a CHINS.

[6] The court held a timely dispositional hearing on February 20, 2025. At that hearing, Mother requested the court appoint a different public defender to

² The prosecuting attorney argued that the juvenile court should place Child with his father notwithstanding the no-contact order. The juvenile court responded that doing so “is a class A misdemeanor under Indiana law[] and is generally illegal everywhere in the United States.” Appellee’s App. Vol. 2, p. 83.

represent her. The court informed Mother that Mother did not “get to pick and choose your public defenders.” Tr. Vol. 2, p. 52. The court further informed Mother that granting her request and continuing the dispositional hearing would “waive the time periods” in which Mother was statutorily entitled for that hearing. *Id.* at 53. Mother did not agree to waive any of her rights, and the court continued the dispositional hearing as to her for a few days, but still within thirty days of the CHINS adjudication, to allow Mother and her counsel to sort things out. Mother also requested a new judge, which the court granted.

[7] At Mother’s continued dispositional hearing, Mother, while still represented by counsel, argued to the court that her admission to Child being a CHINS was coerced by her counsel. The court then asked Mother, “is it your request that your son be released and come live with you?” *Id.* at 68. Mother responded: “I don’t have the ability to take care of him.” *Id.* The court concluded that Mother’s response was an admission and that the CHINS adjudication was appropriate. After some additional back-and-forth, Mother continued to decline to accept custody over Child, and so the court continued to not revisit the CHINS adjudication.

[8] Mother then waived her right to counsel, chose to proceed *pro se*, and requested a continuance of the dispositional hearing as it pertained to her. Over DCS’s objection, the trial court granted Mother’s continuance and set the dispositional hearing as to her for April 3. At that hearing, Mother repeated her prior concerns regarding her counsel and the CHINS adjudication and added that she was concerned that the court’s denial of another continuance request she had

made was based on judicial bias against her. The court once again asked Mother if she was “asking for placement of the [C]hild,” and Mother once again informed the court that she was “not ask[ing] that.” *Id.* at 94.

[9] Thereafter, the trial court entered its dispositional order as to Mother and set the matter for a review hearing in thirty days. Mother filed numerous motions with the trial court in the time between the entry of the dispositional order and the review hearing. At the ensuing review hearing, Mother did not appear, and the trial court denied her pending motions.

[10] This appeal ensued.

Standard of Review

[11] Mother appeals the court’s determination that Child is a CHINS. Our typical standard of review in such appeals is well settled:

“[T]he State must prove by a preponderance of the evidence that a child is a CHINS as defined by the juvenile code.” *In re N.E.*, 919 N.E.2d 102, 105 (Ind. 2010). We neither reweigh the evidence nor judge the credibility of the witnesses. *Egley v. Blackford County Dep’t of Pub. Welfare*, 592 N.E.2d 1232, 1235 (Ind. 1992). We consider only the evidence that supports the [juvenile] court’s decision and reasonable inferences drawn therefrom. *Id.* We reverse only upon a showing that the decision of the [juvenile] court was clearly erroneous. *Id.*

In re K.D., 962 N.E.2d 1249, 1253 (Ind. 2012). A decision is clearly erroneous if the facts do not support the findings or if the juvenile court applied the wrong

legal standard to properly found facts. *In re D.J.*, 68 N.E.3d 574, 577-78 (Ind. 2017).

- [12] Mother proceeds *pro se* in this appeal. Indiana law has long recognized that *pro se* litigants are “held to the same standards as a trained attorney,” and they are “afforded no inherent leniency simply by virtue of being self-represented.” *Auto. Fin. Corp. v. Liu*, 250 N.E.3d 406, 410 (Ind. 2025) (quotation marks omitted). And Indiana law is equally clear that a party may not raise arguments for the first time on appeal; arguments not first presented to the trial court are generally not available for appellate review. *See, e.g., Finnegan v. State*, 240 N.E.3d 1265, 1270 n.3 (Ind. 2024). Further, the invited-error doctrine “forbids a party from taking advantage of an error that she commits, invites, or which is the natural consequence of her own . . . misconduct.” *Durden v. State*, 99 N.E.3d 645, 651 (Ind. 2018).

Discussion and Decision

- [13] On appeal, Mother first argues that the trial court’s judgment must be reversed because the court held her dispositional hearing beyond the thirty-day limit provided for by statute. *See* Ind. Code § 31-34-19-1(a) (2024). But the delay in Mother’s dispositional hearing was at Mother’s request (and, indeed, over DCS’s objection). She may not invite the trial court into reversible error, and we reject her argument accordingly. *See Durden*, 99 N.E.3d at 651.
- [14] Mother next argues that the trial court erred when it ordered her to pay \$53 in weekly support for Child. Mother contends that the trial court’s judgment is

based on “fabricated” evidence. Appellant’s Br. at 8-9. But Mother’s argument is simply a request for our Court to reweigh the evidence, which we will not do. *See K.D.*, 962 N.E.2d at 1253. Mother also argues that the court’s finding that Mother was indigent for purposes of the appointment of counsel “entitled her to protection” from a support order. Appellant’s Br. at 9. But indigency for purposes of the appointment of counsel and an ability to pay child support are not equivalent, and Mother’s suggestion otherwise is not supported by cogent reasoning. *See* Ind. Appellate Rule 46(A)(8)(a).

[15] Mother next contends that North Carolina had jurisdiction over Child, and, thus, the court here lacked both subject matter jurisdiction and personal jurisdiction to act on the CHINS petition. Mother cites no authority for her proposition that a child in Indiana in apparent need of services cannot be within the subject matter of Indiana’s judiciary, and we reject her proposition. *See id.* She also did not object in the trial court on personal jurisdiction grounds; that argument is therefore not preserved for our review, and we do not consider it. *See In re K.P.G.*, 99 N.E.3d 677, 680-81 (Ind. Ct. App. 2018), *trans. denied*. Even if we were to read Mother’s complaints about her trial attorney as objections to personal jurisdiction, her complaints came after the court’s CHINS adjudication and were therefore untimely. *Id.*

[16] Mother next contends that she was not notified of the fact-finding hearing on the CHINS petition or of the initial dispositional hearing. But Mother was present at those hearings through her counsel, and her counsel did not object on

these grounds. We therefore do not consider Mother's assertions. *See Finnegan*, 240 N.E.3d at 1270 n.3.

[17] Mother also alleges that she was not properly served with two delinquency petitions against Child. Mother does not present argument supported by cogent reasoning as to how those failures, if true, mattered in this CHINS case. *See* App. R. 46(A)(8)(a). We therefore reject her allegation.

[18] Next, Mother appears to suggest that the trial court erred when it did not appoint a different public defender to represent Mother. Mother cites no authority for the proposition that she gets to choose court-appointed counsel, and we therefore do not consider Mother's position on this issue. *See id.*

[19] We next address Mother's argument that the trial court abused its discretion when, after the entry of the dispositional order and prior to the first review hearing, the court barred Mother from appearing at future hearings via Zoom. In support of that decision, the trial court stated:

4. The court has discovered that . . . Mother has improperly recorded and transcribed the CHINS hearings in this matter without the knowledge of the Judge or other parties and their respective counsel. Said recording of these confidential proceedings was improper and is prohibited.

5. The court now prohibits . . . Mother . . . from appearing for hearings in this matter via Zoom. [She] is welcome to participate . . . so long as she appears in person.

Appellee's App. Vol. 3, p. 214.

- [20] Mother does not challenge the trial court’s findings in support of its decision to require Mother to appear in person. Instead, Mother speculates that the court acted in “retaliat[ion]” against her because she had sought the judge’s recusal. Appellant’s Br. at 12. We conclude that Mother has not met her burden of persuasion, and we accordingly reject her argument on this issue.
- [21] Next, Mother asserts that the trial court “wholly ignored” purported religious objections Mother had raised with respect to the dispositional order as well as other motions filed by Mother. Appellant’s Br. at 11. Mother raised those concerns following the entry of the dispositional order and before the first review hearing. At the review hearing, Mother failed to appear. The trial court therefore did not err in denying Mother’s motions following that hearing.
- [22] Mother also alleges error in the trial court’s exclusion of Child’s uncle from the proceedings. Child’s uncle had a no-contact order entered in his favor by the juvenile court following Child having pulled a knife on him. Mother’s argument here is not supported by cogent reasoning, and we reject it. *See* App. R. 46(A)(8)(a).
- [23] Next, Mother asserts that she has been denied access to various documents and filings. She asserts that “[t]hese materials are likely exculpatory and material to the fairness of this proceeding.” Appellant’s Br. at 13. Mother disregards that she has repeatedly admitted that Child is a CHINS. We reject Mother’s arguments on these issues.

[24] Mother additionally asserts that the trial judge had “actual bias” against Mother and engaged in a “pattern of retaliation” *Id.* We have reviewed the record, and we flatly reject Mother’s assertions. Adverse decisions do not demonstrate bias or retaliation, and Mother’s argument is devoid of both support in the record and cogent reasoning.

[25] Finally, Mother argues that, between the dispositional order and the first review hearing, DCS engaged in purportedly negligent conduct that caused Child harm. Much of Mother’s argument here is repetitious and is likewise rejected. We further note that all parties had notice and an opportunity to support any such claims to the trial court at the review hearing. Mother’s argument is again not supported by the record or cogent reasoning, and we reject it.

Conclusion

[26] For all of these reasons, we affirm the trial court’s judgment.

[27] Affirmed.

Vaidik J., and Pyle, J., concur.

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