IN THE UTAH COURT OF APPEALS

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State of Utah, in the interest of G.H., a person under eighteen years of age. T.M., Appellant, v. State of Utah, Appellee.	MEMORANDUM DECISION (Not For Official Publication) Case No. 20070184-CA F I L E D (April 19, 2007) 2007 UT App 137

Third District Juvenile, Salt Lake Department, 0472284
The Honorable Charles D. Behrens

Attorneys: Sarah A. Giacovelli, Salt Lake City, for Appellant
Mark L. Shurtleff and John M. Peterson, Salt Lake City, for Appellee
Martha Pierce and Brent J. Newton, Salt Lake City, Guardians Ad Litem

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Before Judges Bench, Davis, and McHugh.

PER CURIAM:

T.M. (Mother) appeals the termination of her parental rights. She challenges the sufficiency of the evidence to support the grounds for termination. We "review the juvenile court's factual findings based upon the clearly erroneous standard." In re E.R., 2001 UT App 66,¶11, 21 P.3d 680. In reviewing a decision to terminate parental rights, we "will not disturb the juvenile court's findings and conclusions unless the evidence clearly preponderates against the findings as made or the court has abused its discretion." In re R.A.J., 1999 UT App 329,¶6, 991 P.2d 1118.

Mother challenges the supporting findings and the conclusion that she failed in her parental adjustment. The only evidence in

support of this claim was Mother's own unsupported assertions. Mother admitted the allegations of the amended petition, which resulted in an adjudication that she abused G.H. At the termination trial, the State presented testimony from three witnesses demonstrating that Mother completed none of the requirements of the service plan beyond obtaining initial assessments. Although failure to comply with a service plan cannot be the ground for termination, see Utah Code Ann. § 78-3a-407(2) (Supp. 2006), the State proffered additional testimony to the effect that Mother lacked an attachment to G.H. and treated her in an inappropriate and unsafe manner at visits. Mother did not consistently visit G.H. and, by her own admission, she attended only ten visits, even though weekly supervised visits were offered. Finally, Mother fails to challenge any of the remaining grounds found by the juvenile court to support termination. See id. § 78-3a-407(1) (stating the court may terminate parental rights if it finds any one of the enumerated grounds).

Mother also claims that the findings are not supported by sufficient evidence and specifically claims that (1) the Division of Child and Family Services did not make reasonable efforts to provide reunification services, (2) she was not told what was required by the parenting assessment, (3) she could not understand what she was told due to learning disabilities, and (4) she could have succeeded if she had been provided with more services. Mother testified that she was unable to understand what was required of her, even if she told the caseworker she understood. In contrast, the caseworker testified that she repeated explanations using different ways of explaining and went over the objectives until Mother indicated that she understood. She also spoke to Mother at each visit about the requirements for reunification with G.H. Mother made some appointments, suggesting that she understood what was required of her, but she later cancelled or failed to appear. Mother does not suggest what other services should have been provided, and her claim that she would have succeeded with additional services is speculative.

The juvenile court clearly found the testimony from the caseworker to be more credible than Mother's self-serving testimony about the inadequacy of services provided to her. Mother made little effort to address the reasons for removal or even to maintain contact with G.H. The findings that the

Division made reasonable efforts to provide reunification services are amply supported.

We affirm the termination of parental rights.

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Russell W. Bench,
Presiding Judge

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James Z. Davis, Judge

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Carolyn B. McHugh, Judge