

NOTICE: NOT FOR OFFICIAL PUBLICATION.
UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL
AND MAY BE CITED ONLY AS AUTHORIZED BY RULE.

IN THE
ARIZONA COURT OF APPEALS
DIVISION ONE

NINA E., A.S., *Appellants,*

v.

DEPARTMENT OF CHILD SAFETY, ERIC S., JOCELYN S., *Appellees.*

No. 1 CA-JV 17-0168
FILED 8-24-2017

Appeal from the Superior Court in Maricopa County
No. JD 528623
The Honorable Arthur T. Anderson, Judge

APPEAL DISMISSED

COUNSEL

Maricopa County Public Advocate, Mesa
By Suzanne W. Sanchez
Counsel for Appellant Nina E.

Arizona Attorney General's Office, Mesa
By Ashlee N. Hoffmann
Counsel for Appellee DCS

Artemis Law Firm, PLLC, Scottsdale
By Victoria E. Ames
Counsel for Appellee Intervenor Jocelyn S.

MEMORANDUM DECISION

Judge Michael J. Brown delivered the decision of the Court, in which Presiding Judge Jon W. Thompson and Judge Jennifer B. Campbell joined.

B R O W N, Judge:

¶1 Nina E. (“Mother”) appeals from the juvenile court’s order changing A.S.’s placement. On July 10, 2017, the juvenile court held a contested severance hearing at which Mother knowingly, intelligently, and voluntarily chose to waive her rights to contest the termination of her parental rights. This renders Mother’s appeal moot.

¶2 As a policy of judicial restraint, this court generally will not address moot or abstract questions. *Lana A. v. Woodburn*, 211 Ariz. 62, 65, ¶ 9 (App. 2005). “A decision becomes moot for purposes of appeal where, as a result of a change of circumstances before the appellate decision, action by the reviewing court would have no effect on the parties.” *Vinson v. Marton & Assoc.*, 159 Ariz. 1, 4 (App. 1988). The juvenile court terminated appellant Nina E.’s parental rights to A.S. on July 10, 2017. As a result, a decision on the merits of Mother’s appeal from the order changing A.S.’s placement would have no effect on the parties because Mother no longer has any parental rights with respect to A.S.

¶3 Accordingly, it is ordered dismissing this appeal.¹



AMY M. WOOD • Clerk of the Court
FILED: AA

¹ A.S., through her guardian ad litem, also appealed the placement order but did not file an appellate brief or join in Mother’s briefing. Thus, pursuant to Arizona Rule of Juvenile Court Procedure 106(E), we dismiss the appeal filed by A.S.