IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

GRISELDA C.-B.,
Appellant,

v.

DEPARTMENT OF CHILD SAFETY, H.C.-L., AND L.C.-L.,
Appellees.

No. 2 CA-JV 2015-0009
Filed March 16, 2017

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
NOT FOR PUBLICATION
See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Civ. App. P. 28(a)(1), (f);
Ariz. R. P. Juv. Ct. 103(G).

Appeal from the Superior Court in Pima County
Nos. JD20140190 and S20140109
The Honorable Kathleen Quigley, Judge

AFFIRMED

COUNSEL

Emily Danies, Tucson
Counsel for Appellant

Mark Brnovich, Arizona Attorney General
By Cathleen E. Fuller, Assistant Attorney General, Tucson
Counsel for Appellee Department of Child Safety

MEMORANDUM DECISION

Chief Judge Eckerstrom authored the decision of the Court, in which Presiding Judge Howard and Judge Vásquez concurred.

E C K E R S T R O M, Chief Judge:

¶1 Griselda C.-B. appeals from the juvenile court's order terminating her parental rights to her daughters H., born October 2005, and L., born September 2007, on the grounds of abuse. She argues there was insufficient evidence: (1) that she had abused A., a foster child in her care; (2) of a nexus between that abuse and the risk she would abuse her daughters; (3) that termination of her parental rights was in H.'s and L.'s best interests. She additionally contends that the state violated her due process rights by failing to provide services or pursue family reunification and that her trial counsel was ineffective. We affirm.

Factual and Procedural Background

¶2 "On review of a termination order, we view the evidence in the light most favorable to sustaining the juvenile court's decision." *Jade K. v. Loraine K.*, 240 Ariz. 414, ¶ 2, 380 P.3d 111, 112 (App. 2016). A. was placed with Griselda and her husband, both licensed foster parents, in December 2013, when he was about twenty months old. A. suffered from chronic asthma, and had behavioral problems as well as developmental delay in his motor skills and growth because he had been exposed to drugs during his mother's pregnancy.

¶3 In March 2014, Griselda called 9-1-1 because A. had stopped breathing while eating; at the behest of the 9-1-1 operator,

Griselda performed chest compressions. A. was transported to a hospital; once he was stabilized, doctors administered a computerized tomography (CT) scan to determine whether he had suffered a brain injury from the lack of oxygen. That scan revealed that A. had suffered a subdural hematoma, a subarachnoid hemorrhage, and retinal hemorrhages in both eyes.

¶4 A. also had suffered "nerve sheath shearing," which can result from vigorous shaking, and had a small bruise on his forehead. His arm was in a cast as a result of a broken arm, which Griselda and her husband claimed had occurred when A. fell about a month previously. A. also had a broken bone in his foot, although Griselda's husband claimed A. had been dragging the foot when he was first placed in their custody. A. has a poor prognosis for recovery and will likely face serious health challenges for the rest of his life as a result of his injuries.

¶5 Hospital staff reported the cranial injuries to the Tucson Police Department and Department of Child Safety (DCS) because such injuries are often associated with abusive head trauma and Griselda and her husband had no explanation for them. DCS took temporary custody of H. and L. Each of them was subsequently interviewed. L. stated Griselda had regularly screamed at A., forced his mouth closed to prevent him from "spill[ing] dinner and breakfast," and hit him on several occasions, sometimes "all over his body." H. also stated Griselda had hit A., and described Griselda shoving food into A.'s mouth with a wet cloth and holding his mouth closed with A. on his back. H. additionally said Griselda would send L. and H. to their bedroom, instructing them to watch television while she "taught" A. Griselda claimed her daughters were lying and denied having hit A. or shoved food into his mouth.

¶6 Dr. John Rosell told police A. had suffered an injury consistent with "shaking," and the blood on the brain was fresh—indicating A. had suffered the injury within the last five to forty-eight hours. He also noted that, although Griselda and her husband had reported that A. bruised easily, he had no bruises from chest compressions, possibly indicating they were not vigorous. He also believed A.'s foot fracture had occurred within a few weeks. A

pediatric critical care physician also opined that A.'s cranial injuries were likely non-accidental in light of the absence of an explanation such as a "car accident" or other "major accident."

¶7 Dr. Rachel Cramton agreed A.'s injuries were recent, stating they likely had occurred within the previous twenty-four hours. She stated A. could not have caused the injuries himself, they were not caused by oxygen deprivation, and A. had either been "shaken," "hit with something and shaken," or "thrown." Dr. Cramton also noted that nothing indicated A. had weak bones and, although she had not confirmed whether A. had a blood disorder such as hemophilia, a "spontaneous brain bleed" was extremely rare, even in children with hemophilia, and A.'s retinal hemorrhages could not be explained by hemophilia. She additionally observed that it was unlikely that a two-year-old with difficulty walking could generate enough force to fall and break his arm.

¶8 A psychologist who evaluated Griselda opined that it was unlikely Griselda would abuse her own children, but stated she should not be allowed to care for anyone else's children. He acknowledged, however, that in two evaluations, Griselda had scored high on the validity measure, indicating she had "purposely and deliberately" responded to make herself "appear extremely well adjusted and free from any emotional problems or symptoms," and that it indicated she would "under-report[] in order to make [herself] look good, and in order to deny shortcomings and inadequacies." The score also indicated "excessive effort to deny shortcomings, and other usually acceptable human levels of error."

¶9 Griselda was arrested in March 2014. The same day, DCS filed a petition alleging H. and L. were dependent as to Griselda on the basis of abuse. About two months later, DCS filed a petition seeking to terminate Griselda's parental rights on abuse grounds pursuant to A.R.S. § 8-533(B)(2). Following a contested severance hearing, the juvenile court found termination of Griselda's

parental rights was warranted based on the abuse to A.,[1] noting that his "injuries were so severe it is clear he was not safe in [Griselda]'s care, and as a result neither is any child, even her own." The court also found termination was in the children's best interests because they would be at risk if placed in the care of Griselda or her husband, and because their current placement was "a prospective adoptive home" and was "meeting the needs of the [children]." This appeal followed.

¶10 In her opening brief on appeal, Griselda argued, inter alia, that her trial counsel had been ineffective. We concluded we could not "properly address" those claims "absent evidence not now in the record," and that "evidence supporting [Griselda's] claims of deficient performance and prejudice[] should first be presented to and considered by the juvenile court." We therefore stayed the appeal and ordered the court "to address [Griselda's] claims of ineffective assistance of counsel and, if necessary, to conduct an evidentiary hearing to resolve those claims."

¶11 The juvenile court ordered Griselda to "prepare any affidavits believed to be necessary to address [her] claims." The court, however, stated it would not address "[t]he issue of ineffective assistance of counsel" because "there is no standard of review in Arizona to guide" the court. The court instead limited its examination to whether Griselda had demonstrated prejudice resulting from counsel's conduct. The parties filed numerous exhibits, including declarations, medical records, reports, interview transcripts, and articles addressing shaken baby syndrome and abusive head trauma. After reviewing the exhibits, the juvenile court determined that, "[a]lthough one may argue [trial counsel] was deficient in his representation . . . , the Court finds after review and consideration of [Griselda's] witnesses and exhibits . . . that the additional evidence would not have compelled this Court to alter the outcome of the severance matter. Therefore, the Court finds

[1]DCS had also petitioned to terminate the parental rights of H.'s and L.'s father on abandonment grounds. The juvenile court denied that petition.

there was no prejudice to [Griselda]." We then directed the parties to file supplemental briefs addressing the court's determination.

Discussion

Sufficiency of the Evidence

¶12 We first address Griselda's claims that the evidence was insufficient to support the juvenile court's finding that she had abused A., of a nexus between that abuse and the risk she would abuse her daughters, and that termination of her parental rights was in H.'s and L.'s best interests. A juvenile court may terminate a parent's rights if it finds clear and convincing evidence of a statutory ground for severance and finds by a preponderance of the evidence that termination is in the child's best interests. A.R.S. §§ 8-533(B), 8-537(B); *Kent K. v. Bobby M.*, 210 Ariz. 279, ¶ 41, 110 P.3d 1013, 1022 (2005). "[W]e will affirm a termination order that is supported by reasonable evidence." *Jade K.*, 240 Ariz. 414, ¶ 6, 380 P.3d at 113, *quoting Jordan C. v. Ariz. Dep't of Econ. Sec.*, 223 Ariz. 86, ¶ 18, 219 P.3d 296, 303 (App. 2009) (alteration in *Jade K.*). "That is, we will not reverse a termination order for insufficient evidence unless, as a matter of law, no reasonable fact-finder could have found the evidence satisfied the applicable burden of proof." *Id.*, *quoting Denise R. v. Ariz. Dep't of Econ. Sec.*, 221 Ariz. 92, ¶ 10, 210 P.3d 1263, 1266 (App. 2009). "We do not reweigh the evidence." *Jordan C.*, 223 Ariz. 86, ¶ 18, 219 P.3d at 303.

¶13 To terminate Griselda's parental rights on the ground of abuse, the state was required to show she had "willfully abused a child." § 8-533(B)(2). "[A]buse includes serious physical or emotional injury or situations in which the parent knew or reasonably should have known that a person was abusing or neglecting a child." *Id.* Additionally, to support termination of a parent's rights to one child based on his or her abuse or neglect of another child, there must be a "constitutional nexus" between the prior abuse and the risk of future abuse. *Mario G. v. Ariz. Dep't of Econ. Sec.*, 227 Ariz. 282, ¶ 16, 257 P.3d 1162, 1165-66 (App. 2011).

¶14 Griselda asserts the juvenile court erred by finding A. had suffered abuse, arguing that Dr. Cramton's opinion "did not account for [his] poor health condition prior to arriving at [her] home." Although Dr. Cramton acknowledged she had not reviewed all of A.'s medical history, Griselda has not identified any medical evidence presented to the court showing A. had some preexisting condition that would have explained his injuries. And the evidence presented, viewed in the light most favorable to upholding the court's ruling, amply supports the conclusion that A.'s injuries resulted from abuse.

¶15 Griselda also complains there was insufficient evidence of a nexus between A.'s abuse and a risk she would abuse her children. The juvenile court found the state had established the required nexus, noting the severity of A.'s injuries and indications A. had suffered "inappropriately harsh and abusive parenting"—sometimes in the presence of Griselda's daughters. The court additionally observed that, in light of the "uncontrolled anger" Griselda exhibited in abusing A., she "pose[d] a significant risk for any child in her care." The court also cited Griselda's "rigidity and intolerance of imperfection" and her denial of "even acceptable human shortcomings" as suggesting the potential for continued abuse.

¶16 Griselda, however, points to the evaluating psychologist's opinion that she did not pose a risk to her biological children. She asserts the juvenile court's nexus finding is tantamount to "a finding that the mere fact of abuse constitutes a *per se* nexus." But the court was free to reject the psychologist's opinion. *See Fry's Food Stores v. Indus. Comm'n*, 161 Ariz. 119, 123, 776 P.2d 797, 801 (1989) ("Nothing binds the factfinder to accept or reject an expert's entire opinion."). And the court did not, as Griselda suggests, base its finding solely on the mere fact abuse had occurred. Instead, it focused on the severity of A.'s injuries and Griselda's refusal to tolerate imperfection. *See Mario G.*, 227 Ariz. 282, ¶¶ 20-21, 257 P.3d at 1167 (suggesting recent "serious physical abuse" relevant to nexus determination). Additionally, given that Griselda maintains she has done nothing wrong, she has not shown any indication her behavior will not reoccur. *See Tina T. v. Dep't of Child*

Safety, 236 Ariz. 295, ¶¶ 9, 18, 339 P.3d 1040, 1042, 1044-45 (App. 2014) (repeated failures to prevent or stop abuse support nexus finding). Griselda is correct, however, that in each of the three Arizona opinions addressing the nexus requirement, there was express testimony that there was an ongoing risk of abuse of another child. *See Tina T.*, 236 Ariz. 295, ¶ 9, 339 P.3d at 1042; *Mario G.*, 227 Ariz. 282, ¶ 22, 257 P.3d at 1167; *Linda V. v. Ariz. Dep't of Econ. Sec.*, 211 Ariz. 76, ¶ 17, 117 P.3d 795, 799 (App. 2005). But these cases do not hold that such testimony is required—they only stand for the proposition that it would support a nexus finding.

¶17 Griselda further asserts the juvenile court erred in finding that termination was in the children's best interests because the "bare fact of alleged abuse of another, non-biological child" is insufficient, standing alone, to support that finding. For severance to be in a child's best interests, there must be evidence the child would either benefit from severance or be harmed by a continuation of the parental relationship. *Mario G.*, 227 Ariz. 282, ¶ 26, 257 P.3d at 1168. Griselda's argument, however, is little more than a request that we reweigh the evidence and a rehash of her claim that there was an insufficient nexus between Griselda's abuse of A. and a risk of abuse to her children. "[T]he presence of a statutory ground [for severance] will have a negative effect on the child[]," supporting a finding that termination is in the child's best interests. *Maricopa Cty. Juv. Action No. JS-6831*, 155 Ariz. 556, 559, 748 P.2d 785, 788 (App. 1988). Additionally, although Griselda is correct that there is evidence the children were well cared for, she ignores evidence that they were exposed to Griselda's abusive treatment of A., and that their current placement may adopt them and is fulfilling their needs.[2] *See Mary Lou C. v. Ariz. Dep't of Econ. Sec.*, 207 Ariz. 43, ¶ 19,

[2]Griselda also asserts the juvenile court "completely ignored" the fact that H. and L. wished to reunify with her. This claim is unsupported by the record. The court stated in its ruling that it "has considered the desire of the [children] to be reunited with their mother." The court correctly noted that fact did not bar a finding that termination was in the children's best interest. *Dominique M. v. Dep't of Child Safety*, 240 Ariz. 96, ¶ 12, 376 P.3d 699, 701 (App. 2016) ("The existence and effect of a bonded relationship between a

83 P.3d 43, 50 (App. 2004) (that child is adoptable and that "existing placement is meeting" the child's needs supports best interests finding). Thus, Griselda has not established the court erred in finding termination was in the children's best interests.

Due Process

¶18 Griselda next argues that her due process rights were violated because DCS did not offer reunification services. As Griselda acknowledges, § 8-533 requires the state to provide reunification services only when it seeks severance for time-in-care grounds under subsections (8) and (11).[3] *See* § 8-533(D). However, she is correct that we have identified a constitutional requirement that the state provide reunification services, rooted in "the 'fundamental liberty interest of the natural parents in the care, custody and management of their child.'" *Mary Ellen C. v. Ariz. Dep't of Econ. Sec.*, 193 Ariz. 185, ¶ 32, 971 P.2d 1046, 1053 (App. 1999), *quoting Santosky v. Kramer*, 455 U.S. 745, 753 (1982). Based on that interest, we have required the state to provide a path to reunification in cases involving mental illness and substance abuse. *See Jennifer G. v. Ariz. Dep't of Econ. Sec.*, 211 Ariz. 450, ¶ 13, n.3, 123 P.3d 186, 189, 189 n.3 (App. 2005). We have refused to do so, however, when termination is based on abandonment. *Toni W. v. Ariz. Dep't of Econ. Sec.*, 196 Ariz. 61, ¶¶ 13-15, 993 P.2d 462, 466-67 (App. 1999). Griselda asks us to extend the requirement that the state provide reunification services to cases involving a parent's

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biological parent and a child, although a factor to consider, is not dispositive in addressing best interests.").

[3] And, in dependency proceedings, the state is generally required "to make reasonable efforts to provide services to the child and the child's parent." A.R.S. § 8-846(A). As the state points out, however, the children were not found dependent as to Griselda—although the state initially filed a dependency petition, it filed the severance petition shortly thereafter. In any event, the state is not required to provide services under subsection (A) in cases where the parent has "caused a child to suffer serious physical injury," as Griselda did here. § 8-846(D).

abuse of another child. Even assuming there was some compelling reason to do so, however, she did not raise this issue below. We therefore will not address it on appeal. *See Shawanee S. v. Ariz. Dep't of Econ. Sec.*, 234 Ariz. 174, ¶ 16, 319 P.3d 236, 240-41 (App. 2014) (parent who does not object to adequacy of services waives issue on appeal).[4]

Ineffective Assistance of Counsel

¶19 In termination proceedings, a parent has a vital interest in the accuracy and justice of the decision to terminate her parental relationship with her child. *Lassiter v. Dep't of Soc. Servs. of Durham Cty., N.C.*, 452 U.S. 18, 27 (1981). Effective, competent, representation of parents in a termination hearing is crucial to the legitimacy of the proceedings and the outcome. *Id.* at 28; *see also Strickland v. Washington*, 466 U.S. 668, 685 (1984) (recognizing that counsel plays a critical role in adversarial system's ability to ensure just results). An indigent person has the right to appointed counsel both by statute and pursuant to constitutional guarantees of due process. *See* A.R.S. § 8-221; *Daniel Y. v. Ariz. Dep't of Econ. Sec.*, 206 Ariz. 257, ¶ 14, 77 P.3d 55, 58 (App. 2003). And this court has suggested that ineffective assistance of counsel in termination proceedings could constitute reversible error. *See John M. v. Arizona Dep't of Econ. Sec.*, 217 Ariz. 320, ¶¶ 17-18, 173 P.3d 1021, 1026 (App. 2007); *Maricopa Cty. Juv. Action No. JS-4942*, 142 Ariz. 240, 242, 689 P.2d 183, 185 (App. 1984).

¶20 A criminal defendant raising a claim of ineffective assistance must demonstrate "both that counsel's representation fell

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[4]In her reply brief, Griselda argues waiver applies only when the state provides services that are inadequate, not when it declines to provide services at all. We find the distinction irrelevant. Moreover, the state is not required to provide services when it would be futile to do so. *Mary Ellen C.*, 193 Ariz. 185, ¶ 42, 971 P.2d at 1054. Griselda has not identified any service in which she would have participated and, indeed, has refused to acknowledge any wrongdoing.

below prevailing professional norms and that a reasonable probability exists that, but for counsel's errors, the result of the proceeding would have been different." *John M.*, 217 Ariz. 320, ¶ 8, 173 P.3d at 1024, *citing Strickland*, 466 U.S. at 690, 694. Neither party asserts we should adopt a different standard in juvenile cases; they instead assume the *Strickland* standard will apply. We need not determine in this case by what standard to measure counsel's conduct in a juvenile proceeding because "no reversal of a termination order is justified by inadequacy of counsel unless, at a minimum, a parent can demonstrate that counsel's alleged errors were sufficient to 'undermine confidence in the outcome' of the severance proceeding and give rise to a reasonable probability that, but for counsel's errors, the result would have been different." *Id.* ¶ 18, *quoting Strickland*, 466 U.S. at 692-94.

¶21 In her opening and supplemental briefs, Griselda identifies numerous purported deficiencies in trial counsel's performance. The juvenile court, however, did not address that issue, instead limiting its determination to whether Griselda had shown a reasonable probability of a different result. But on appeal, Griselda does not develop an argument that, had counsel performed differently, the court would have been compelled to deny the severance petition. *See id.* Instead, she merely describes the evidence that counsel failed to present and declares that it is "incomprehensible" that the court "found no prejudice."

¶22 Griselda asserts that counsel's chief failure was that he did not "request, consult and retain an expert medical witness to rebut the only medical testimony given at the severance trial." That evidence, as we noted above, was Dr. Cramton's opinion that A.'s injuries resulted from shaking or blunt trauma. The materials Griselda submitted to the juvenile court to show prejudice relevant to this issue consist primarily of medical literature criticizing the theory that a subdural hematoma can be caused solely by shaking a child, evidence suggesting A. may have had a chronic subdural hematoma and had no injuries consistent with shaking, literature stating that retinal hemorrhages can result from asphyxiation or respiratory distress, and a doctor's statement that "intracranial pressure and bleeding" could result from "aggressive resuscitative

efforts." Notably absent from Griselda's offer of proof, however, was a statement by any medical doctor that A.'s injuries were not likely to have resulted from abuse.

¶23 We agree with Griselda, however, that some of the evidence she presented arguably contradicts Dr. Cramton's conclusion that A.'s injuries were the result of abuse. But, as we noted above, the juvenile court was nonetheless presented with ample evidence supporting a finding of abuse. The court—as the trier of fact in the proceeding—was uniquely situated to evaluate the original evidence in light of the new information Griselda insists counsel should have presented. *Ariz. Dep't of Econ. Sec. v. Oscar O.*, 209 Ariz. 332, ¶ 4, 100 P.3d 943, 945 (App. 2004) ("A juvenile court as the trier of fact in a termination proceeding is in the best position to weigh the evidence, observe the parties, judge the credibility of witnesses, and resolve disputed facts."). As we noted above, we will not reverse a juvenile court's order for insufficient evidence unless, as a matter of law, no reasonable fact-finder could have found the evidence satisfied the applicable burden of proof. *See Jade K.*, 240 Ariz. 414, ¶ 6, 380 P.3d at 113. Even in light of the new evidence, Griselda has not established the evidence presented by the state did not satisfy its burden of proof. And, although Griselda complains the court did not discuss specific evidence in its ruling, she cites no authority suggesting it was required to do so.

¶24 Among counsel's alleged deficiencies was his failure to present the juvenile court with a ruling by an administrative law judge (ALJ) in an administrative proceeding concerning whether Griselda's husband should be entered into the DCS central child-abuse report registry based "on the theory that he should have known some kind of abuse was taking place and that he should have taken action to stop it prior to the choking incident." *See* A.R.S. §§ 8-804, 8-811. In its September 2014 ruling, the ALJ determined, inter alia, that A.'s injuries had resulted "during resuscitation," concluding the contrary evidence did not take into consideration A.'s "fragility, the trauma of resuscitation efforts, or any other possible factors impacting the brain and retina damage" and there was no "basis for finding that [A.] had any brain or retina injuries prior to 48 hours before" the choking incident. Thus, the ALJ

concluded, "probable cause does not exist" to substantiate an allegation of abuse against Griselda's husband. The director of DCS accepted the ALJ's findings of fact and conclusions of law (with modifications not relevant here) pursuant to A.R.S. § 41-1092.08 and Ariz. Admin Code R21-1-507.

¶25 In its ruling rejecting Griselda's claim of ineffective assistance of counsel, the juvenile court stated that "[i]t would not have been proper for this Court to consider the decision of [the] ALJ . . . as evidence in the severance matter," noting the parties, purpose of the proceeding, and standard of proof were different. Griselda, however, contends the ruling, had counsel presented it, would have collaterally estopped DCS from seeking termination of her parental rights on abuse grounds because "DCS agreed that no abuse had occurred." Griselda is correct that a previous administrative decision may estop future litigation of the same issue. *See Hawkins v. Dep't of Econ. Sec.*, 183 Ariz. 100, 103, 900 P.2d 1236, 1239 (App. 1995). But she does not address the court's determination that applying collateral estoppel here would be inappropriate because of the disparate parties, issues, and legal standard. *See State v. Bolton*, 182 Ariz. 290, 298, 896 P.2d 830, 838 (1995) (insufficient argument on appeal waives claim). In any event, as Griselda recognizes, we have hesitated to apply res judicata in juvenile cases in part because, to "'effectively determine the best interests of a child, a court must be free from the imposition of artificial constraints that serve merely to advance the cause of judicial economy.'" *Bennigno R. v. Ariz. Dep't of Econ. Sec.*, 233 Ariz. 345, ¶ 16, 312 P.3d 861, 865 (App. 2013), *quoting State ex rel. J.J.T.*, 887 P.2d 161, 164 (Utah Ct. App. 1994). This consideration applies with equal force to collateral estoppel. [5]

[5] We recognize that our reasoning in *Bennigno R.* was grounded, at least in part, in the fact that the circumstances of dependency and termination proceedings are often fluid. 233 Ariz. 345, ¶ 16, 312 P.3d at 865. We nonetheless find little reason to apply collateral estoppel based on a previous administrative ruling in a proceeding where the safety of the children in this case was not at stake. We are troubled, however, that DCS would accept in one proceeding a finding that Griselda had not abused A., yet pursue termination of her parental rights on that basis in another

Griselda has not demonstrated that, had her counsel raised collateral estoppel, it would have changed the outcome of her termination proceeding.

¶26 Griselda additionally asserts the juvenile court erred by denying her request to file a reply to the state's response to her filing below detailing her claim of ineffective assistance of counsel, and by striking various documents she attempted to submit following the state's response. In her motion seeking to file a reply brief, Griselda cited Rule 32.6(b), Ariz. R. Crim. P., and claimed a reply was required to "counter the State's claims, restore the Court's focus back onto essential elements, and to supplement [her] arguments and authorities." She included with that request a reply listing responses to some of the state's factual assertions.

¶27 The juvenile court denied that request, noting that Rule 46(C), Ariz. R. P. Juv. Ct., did not permit replies absent court authorization and that its initial order had stated "no reply affidavits were permitted." Griselda sought reconsideration of that order, including with that motion several new exhibits. She also filed a "supplement" to her original appendix including two recent depositions from a related civil proceeding. In the same order in which the court concluded Griselda had not shown prejudice resulting from counsel's conduct, it denied the motion for reconsideration. The court noted that, in reaching its final decision, it did not consider Griselda's reply, the attachments, the files attached to her motion for reconsideration, or the additional depositions. Although Griselda complains the court erred by disregarding those filings, however, she has cited no relevant authority and has developed no meaningful argument. We therefore do not address this issue further. *See Bolton*, 182 Ariz. at 298, 896 P.2d at 838.

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proceeding. But Griselda has not demonstrated that DCS's conduct has any legal significance given that the determination ultimately was the province of the juvenile court as the trier of fact.

Disposition

¶28 We affirm the juvenile court's order terminating Griselda's parental rights to H. and L.