

MEMORANDUM DECISION

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IN THE
Court of Appeals of Indiana

In the Matter of the Involuntary Termination of the Parent-Child Relationship of: T.F. (Minor Child), and A.F. (Mother) and G.F. (Father),

Appellants-Respondents

v.

Indiana Department of Child Services,

Appellee-Petitioner,

Vanderburgh County CASA,

Appellee

March 13, 2024

Court of Appeals Case No.
23A-JT-2132

Appeal from the Vanderburgh Superior Court

The Honorable Gary J. Schutte, Judge

Trial Court Cause No.
82D04-2211-JT-1765

Memorandum Decision by Judge Brown
Judges Riley and Foley concur.

Brown, Judge.

- [1] A.F. (“Mother”) and G.F. (“Father,” and together with Mother, “Parents”) appeal the involuntary termination of their parental rights to their child, T.F. We affirm.

Facts and Procedural History

- [2] Parents are the parents of T.F., who was born in May 2018.¹ On July 2, 2018, the Department of Child Services (“DCS”) filed a petition alleging T.F. was a child in need of services (“CHINS”). DCS alleged that T.F. was diagnosed with Newborn Abstinence Syndrome and had been in the NICU for thirty days due to withdrawal from methadone. It alleged that Mother had been unable to stay awake while T.F. was in her care and that Father refused to adhere to the directives of medical staff when visiting T.F. in the NICU. DCS alleged that Parents had significant substantiated DCS history and Mother had obtained a protective order against Father. The parties agreed to an informal adjustment, and the court dismissed the petition.

¹ Parents also had four other children who were involved in prior CHINS cases. Parents consented to the adoption of these four children by Mother’s mother. Mother also had another child who was adopted by “[s]omeone” at birth. Transcript Volume II at 33.

[3] On February 12, 2020, DCS filed a petition alleging T.F. was a CHINS and asserted it received a report that T.F. had injected himself with insulin while in Father's care, Father took the child to the emergency room, Father was visibly intoxicated, and he was arrested on an outstanding warrant. It also alleged that T.F. was extremely irritable, covered in a large rash on his face and arms, and tested positive for methamphetamine. In July 2020, the court dismissed the petition.

[4] On May 25, 2021, DCS filed a petition alleging T.F. was a CHINS. DCS alleged that Mother had overdosed on prescription medication on May 15, 2021, and left T.F. unattended. It alleged Mother was taken to St. Vincent Hospital, received treatment for her mental health, reported hearing demons, and attempted suicide in front of T.F. It asserted that, “[b]esides overdosing on Xanax, suboxone, [and] other medications, [Mother] said that she was using methamphetamine as recently as 4 days ago.” Exhibits Volume I at 31-32. It alleged that Mother had behavioral problems in the psychiatric hospital including attacking a nurse. It alleged that: Father was recently released from jail due to drug charges; there were concerns for continuing drug use; Father and a family member came to the home where T.F. was staying asking for him; Father and the family member admitted they had no bed or car seat and both appeared to be under the influence; law enforcement observed unlabeled medications in the family member's purse; Father refused to provide a urine analysis screen; and Father was residing with the family member who took a drug test to become a possible placement but tested positive for opioids. DCS

also alleged that Parents had multiple substantiations with DCS and that none of their other children were in their care and custody.

- [5] On June 15, 2021, the court entered an order finding that Parents denied that T.F. was a CHINS but waived their right to a full trial and submitted the case on the evidence contained in the case file. The court adjudicated T.F. to be a CHINS.
- [6] On July 13, 2021, the court entered a dispositional order which required Parents to: contact the family case manager every week; enroll in programs recommended by the family case manager or other service provider; keep all appointments with any service provider; maintain suitable, safe, and stable housing; secure and maintain a legal and stable source of income; not use or consume any illegal controlled substances; obey the law; complete a substance abuse assessment and follow all treatments and recommendations developed as a result of the assessment; submit to random drug screens; attend all scheduled visitations; and provide T.F. with a safe, secure, and nurturing environment free from abuse and neglect. It ordered Mother to cooperate with a psychological evaluation, follow recommendations, and participate in the Matrix program. It also ordered Father to cooperate with a substance abuse evaluation and individual counseling through Lampion Counseling or another provider.
- [7] In January 2022, Mother tested positive for methamphetamine and THC, and Father tested positive for methamphetamine. On November 4, 2022, DCS filed

a petition for the involuntary termination of the parent-child relationship between Parents and T.F.

[8] On June 12 and 16, 2023, the court held a hearing. DCS presented the testimony of Parents, Family Case Manager Michelle Murfin (“FCM Murfin”), Family Case Manager Kasie Roenfanz (“FCM Roenfanz”), and Court Appointed Special Advocate Lisa Vandergriff (“CASA Vandergriff”). The court took judicial notice of thirteen CHINS cases related to Mother’s other children for the limited purpose of showing that there had been prior cases involving those children. The court also admitted numerous exhibits.

[9] On September 6, 2023, the court entered a fifteen-page order finding that there was a reasonable probability that the conditions that resulted in the child’s removal or the reasons for placement outside the home would not be remedied; there was a reasonable probability that the continuation of Parents’ parental rights posed a threat to the well-being of the child; termination was in the best interest of the child; and there was a satisfactory plan for the care and treatment of the child.

Discussion

[10] Mother challenges the trial court’s conclusions that there was a reasonable probability that the conditions that resulted in the child’s removal would not be remedied, there was a reasonable probability that the continuation of the parent-child relationship posed a threat to the well-being of the child, and that termination was in the child’s best interest. Mother asserts she completed

substance abuse treatment and the Matrix program, she was being treated for her mental health issues, she had been clean and sober for more than one and one-half years, and she divorced Father. She also argues that she maintained housing until her fall when she went to the hospital and entered a nursing facility.

[11] Father asserts that he has been clean and sober since he separated from Mother on January 3, 2022. He contends the findings are insufficient to support the conclusion that the issue of domestic violence is unlikely to be remedied or that continuation of his parental rights poses a threat to the child's well-being. He also argues that he had been employed as a detail and oil change technician for eight months. He asserts that the only remaining issue he had at the time of the hearing was that he still had transportation problems due to his suspended license. He argues that he has been involved with the child, he and the child are very bonded, and FCM Roenfanz and CASA Vandergriff expressed concerns about the impact on the child of ending visits.

[12] In order to terminate a parent-child relationship, DCS is required to allege and prove, among other things:

(B) that one (1) of the following is true:

(i) There is a reasonable probability that the conditions that resulted in the child's removal or the reasons for placement outside the home of the parents will not be remedied.

(ii) There is a reasonable probability that the continuation of the parent-child relationship poses a threat to the well-being of the child.

(iii) The child has, on two (2) separate occasions, been adjudicated a child in need of services;

(C) that termination is in the best interests of the child; and

(D) that there is a satisfactory plan for the care and treatment of the child.

Ind. Code § 31-35-2-4(b)(2). If the court finds that the allegations in a petition described in Ind. Code § 31-35-2-4 are true, the court shall terminate the parent-child relationship. Ind. Code § 31-35-2-8(a).

[13] A finding in a proceeding to terminate parental rights must be based upon clear and convincing evidence. Ind. Code § 31-37-14-2. We do not reweigh the evidence or determine the credibility of witnesses but consider only the evidence that supports the judgment and the reasonable inferences to be drawn from the evidence. *In re E.M.*, 4 N.E.3d 636, 642 (Ind. 2014). We confine our review to two steps: whether the evidence clearly and convincingly supports the findings, and then whether the findings clearly and convincingly support the judgment. *Id.* We give due regard to the trial court's opportunity to judge the credibility of the witnesses firsthand. *Id.* "Because a case that seems close on a 'dry record' may have been much more clear-cut in person, we must be careful not to substitute our judgment for the trial court when reviewing the sufficiency of the evidence." *Id.* at 640.

[14] In determining whether the conditions that resulted in a child's removal will not be remedied, we engage in a two-step analysis. *See id.* at 642-643. First, we identify the conditions that led to removal, and second, we determine whether there is a reasonable probability that those conditions will not be remedied. *Id.* at 643. In the second step, the trial court must judge a parent's fitness as of the time of the termination proceeding, taking into consideration evidence of changed conditions, balancing a parent's recent improvements against habitual patterns of conduct to determine whether there is a substantial probability of future neglect or deprivation. *Id.* We entrust that delicate balance to the trial court, which has discretion to weigh a parent's prior history more heavily than efforts made only shortly before termination. *Id.* Requiring trial courts to give due regard to changed conditions does not preclude them from finding that a parent's past behavior is the best predictor of future behavior. *Id.* The statute does not simply focus on the initial basis for a child's removal for purposes of determining whether a parent's rights should be terminated, but also those bases resulting in the continued placement outside the home. *In re N.Q.*, 996 N.E.2d 385, 392 (Ind. Ct. App. 2013). A court may consider evidence of a parent's prior criminal history, drug abuse, history of neglect, failure to provide support, lack of adequate housing and employment, and the services offered by DCS and the parent's response to those services. *Id.* Where there are only temporary improvements and the pattern of conduct shows no overall progress, the court might reasonably find that under the circumstances the problematic situation will not improve. *Id.*

- [15] To the extent Parents do not challenge the court’s findings of fact, the unchallenged facts stand as proven. *See In re B.R.*, 875 N.E.2d 369, 373 (Ind. Ct. App. 2007) (failure to challenge findings by the trial court resulted in waiver of the argument that the findings were clearly erroneous), *trans. denied*.
- [16] The trial court’s fifteen-page order detailed Mother’s attempted suicide, her mental health, her improper use of medications, the violent relationship between Parents, Parents’ history with drugs, T.F.’s exposure to melatonin, Mother’s unsteady housing, Parents’ criminal history, and Father’s substance abuse.
- [17] At the June 12, 2023 hearing, Mother testified that she was not employed, was last employed a year earlier, and was not receiving disability income. When asked how she supported herself, she answered: “With agencies in Evansville that help with people that are homeless. Food banks, clothing banks, you know, etcetera.” Transcript Volume II at 24. When asked if she was “currently homeless,” she answered: “I can’t say where I am.” *Id.* She indicated that she did not own or rent a home and was in a shelter somewhere. When asked if she was evicted in December 2022, she answered: “I do not have an eviction. He just said there was too much going on. And since I was constantly in and out of the hospital I couldn’t really pay the rent.” *Id.* at 26. She testified that she moved into an apartment in 2023 but left in April 2023 because she “wasn’t able to pay the rent since [she] was in and out of the hospital and the nursing home.” *Id.* at 30. While Mother testified that she completed a substance abuse treatment at Southwestern Behavioral Health, when asked if she had a relapse

after completing that program, she answered: “To be honest, I don’t remember.” *Id.* at 43. Mother also described an incident in which Father became angry, she grabbed T.F., Father threw an artificial tree, and she grabbed a knife because she did not know what to do. When asked if she was currently involved in any criminal cases, she answered affirmatively. With respect to a Warrick County case for theft, she indicated that she had been offered a plea of “basically a year without getting in trouble.” *Id.* at 61. She testified that she had previously been convicted of theft as a felony in Vanderburgh County. The court took judicial notice of cause numbers 87C01-2210-CM-800, 82D03-1605-F6-2590, and 82D02-1407-FD-975.²

[18] When asked if he ever successfully completed treatment at Southwestern Behavioral Health, Father answered: “I’m not aware.” *Id.* at 83. Father indicated that he was required to submit to random drug screens as part of the underlying CHINS case, the screens were stopped because he did not show positive, “[a]nd then [he] had one slip” and T.F. was “taken back away.” *Id.* at 84. When asked if he missed any of those screens, he answered affirmatively. He acknowledged that he did not participate in any sort of counseling as part of this case. Father indicated that he attended therapy with therapist Charles Wichman through the Lampion Center on a regular basis but ceased treatment with Wichman when he began going to Counseling for Change. When asked if

² In cause number 87C01-2210-CM-800, Mother pled guilty to theft as a misdemeanor in August 2023. In cause number 82D03-1605-F6-2590, Mother pled guilty to theft as a level 6 felony in 2016. In cause number 82D02-1407-FD-975, Mother pled guilty to theft in 2014.

he ever successfully completed drug treatment “at someplace that we haven’t mentioned yet,” he answered: “No. I seek counseling at my doctor’s office.” *Id.* at 87-88. He indicated that his doctor was Haley Daniel and he was on suboxone and his last use of methamphetamine was over a year earlier. When later asked if he was in any sort of drug treatment or therapy, he indicated he sought therapy at Dr. Malek’s office. He indicated that the last time he lived with Mother was “[w]ay over a year ago.” *Id.* at 90. When asked if he was a perpetrator of domestic violence against Mother, he answered: “No. I pled guilty to one 15 years ago.” *Id.* at 91. He also indicated that he pled guilty to resisting law enforcement, and the court took judicial notice of cause number 82D01-1705-CM-3083, which indicated Father pled guilty to resisting law enforcement as a class A misdemeanor in 2017.³ The court also took judicial notice of cause number 26D01-2002-F5-185 in which a charge of neglect of a dependent as a level 5 felony was dismissed and Father pled guilty to driving while suspended as a class A misdemeanor in 2020. Father acknowledged that he was ordered to complete drug treatment as part of the CHINS case. When asked if he completed that, he answered: “I completed the first part. I couldn’t complete the second part because I was no longer living here and didn’t have a ride.” *Id.* at 99. When asked if he noticed T.F.’s “teeth rotting out of his mouth or anything like that,” he answered: “No, I did not.” *Id.* at 97. When

³ Father’s counsel objected to the court taking judicial notice and asserted the offense occurred six years earlier. The court stated: “The Court takes judicial notice as it relates to history of criminal activity.” Transcript Volume II at 94.

asked if he thought being a good mother would include taking a child to the dentist, he stated that he was “not going to answer that” because “how do I know what is good dental care and what is not. I’m not a dentist.” *Id.* at 97-98.

[19] On cross-examination by CASA’s counsel, Father indicated that he tested positive for methamphetamine on January 3, 2022. He indicated he completed an assessment at Southwestern which recommended that he engage in the Matrix program and he declined to participate in that program “[b]ecause [he] can’t or [he would] lose [his] job and housing.” *Id.* at 109. He also indicated he was not attending NA meetings. He acknowledged that he had a pending charge in Gibson County for driving while suspended, and that he spent sixty days in jail in 2018 as a result of two charges for disorderly conduct in Gibson County.

[20] FCM Murfin, who was the family case manager between August 2022 until April 2023, testified that when she first became involved T.F. was on a trial home visit but was removed because there was an incident in which he ingested an unknown amount of melatonin and was taken to the emergency room. She testified that Mother told her there was a bottle of melatonin in T.F.’s overnight bag, she had not realized she had not put the bottle away, and she was not sure how many were in the bottle.⁴ FCM Murfin explained that there were concerns about the conditions of the home including: expired food in the fridge and

⁴ On cross-examination by Mother’s counsel, FCM Murfin testified that the emergency room doctor indicated that T.F. “was not going to be harmed by that particular incident.” Transcript Volume II at 122.

multiple occasions during which T.F. obtained items from the fridge on his own; trash in the pantry; Mother had mentioned “a roach problem that wasn’t entirely taken care of”; and concern that T.F. would “knock something over on himself” including “laundry baskets and things stacked on top of each other.” *Id.* at 118.

[21] FCM Murfin testified that Father requested to re-engage in services and DCS “put in the drug screens and Southwestern.” *Id.* at 119. When asked whether he completed treatment at Southwestern Behavioral Health, she answered: “I know he did attend a session or two but the reports I got back were that things that he was saying didn’t really match up, it didn’t add up. And there were sessions for Matrix that he did not attend.” *Id.* When asked what she meant by “didn’t match up,” she answered: “There had been previous records for Southwestern for substance use, positive drug screens, things of that nature, and he was denying all of that.” *Id.* She also testified that a pill count of Mother’s medication revealed that she should have had fourteen lithium pills but she had twenty and it appeared she had stopped taking the medication. When asked if Father completed the Matrix program “or some piece of something,” she answered: “He did not complete anything while I was involved.” *Id.* at 124.

[22] FCM Murfin testified that, shortly before she was no longer involved in the case, Mother was unsuccessfully discharged from the Youth Villages program for non-compliance. She indicated that T.F. was enrolled in a learning center and did very well, “[t]he only time that there were issues was when [Mother] was around,” and T.F. “would begin to act out” when he saw Mother. *Id.* at

135. She also indicated that the no contact order was violated in September 2022 when a Youth Villages worker observed Father in the home with T.F. and Mother.

[23] FCM Roenfanz, who became the family case manager in April 2023, testified that she visited Mother's home in October 2022 and observed a roach in the kitchen, milk expired by over a month, mold on some of the food in the refrigerator, "trash and open food containers and not all of it was in a trash can," *id.* at 143, and the "closets were filled with items." *Id.* at 141. She indicated that the melatonin gummy container provided by Mother on October 20, 2022, indicated that the contents were not to be used for children under the age of twelve years. She also testified that Mother stated "it was all natural," "she didn't think it was a problem," and "she was only giving him 5 to 6 a day." *Id.* at 144. She testified that she heard Mother say she was giving T.F. gummies "during the day," which concerned her as being "misusing a medication as behavioral modification." *Id.* at 145.

[24] FCM Roenfanz testified that "throughout the history of the case there's been a concern that [Mother] does not take her medication as prescribed" based on medication counts and Mother being less coherent and clear minded at times. *Id.* at 146. When asked about her concerns with Mother, she answered: "[Mother] has not been able to demonstrate the ability to maintain her mental health, care for the child consistently, provide appropriate shelter, housing, clean home, and meet his medical needs all at one time." *Id.* at 148. When asked if there was a service and Mother had more time if "that would turn that

around,” she answered in the negative. *Id.* When asked why it would not be different with more time, she answered: “The case has been open two years. The child has been on two trial home visits and we consistently remove because of [Mother’s] inability to safely care for the child, meet those standards and meet her own needs and standards.” *Id.* FCM Roenfanz also testified that “[b]oth parents have shown a history of breaking the no contact order.” *Id.* at 154.

[25] When asked if there was a reason why Father could not care for the child, FCM Roenfanz answered: “At the time I entered the case we were already at termination of rights. And from my understanding [Father] had not actively shown a history of compliance to complete any service long enough for DCS to look at him as a possible placement.” *Id.* at 148. When asked if she was talking about substance abuse as one of those issues, she answered: “Substance abuse, the random screens and the therapy.” *Id.* She stated: “My concern was that [Father] had requested those screens to be at home or at work. And since March of 2023 we’ve missed 12 screens. So the ones we do have have only been positive for Suboxone, but I don’t show a history of compliance and negative screens. So I could not tell you consistently if he has used or not.”⁵ *Id.*

⁵ To the extent Mother argues that the trial court erred when it found that “FCM Roenfanz testified and records from the drug screening company showed that since March 2023, Mother had missed twelve (12) drug screens and further showed that there was no consistency with her compliance,” Appellants’ Appendix Volume II at 150, we agree with DCS that this finding appears to contain a scrivener’s error.

at 148-149. FCM Roenfanz testified that she believed Father's parental rights should be terminated because he had not shown a history of compliance with DCS. She stated Father had not "come forward until TPR to ask for placement of the child." *Id.* at 153.

[26] FCM Roenfanz testified that she believed Mother's parental rights should be terminated. When asked why, she answered:

[Mother] has not shown the ability to maintain and address her mental health consistently. She has made poor decisions regarding the child's health and safety. Initially when we opened I know there was some issues with the child's dental health. Placement had to get set up for the child to have extensive dental work done. When [Mother] got placement back she did take him but she was Court ordered to. Across the two years she's not been able to maintain placement on a trial home visit long enough for us to even consider closing the case.

Id. at 151. A Psychiatry Progress Report dated April 11, 2023, indicated that Mother hears voices but "cannot decipher if they are internal or external in nature." Exhibits Volume IX at 152.

[27] When asked about the biggest obstacles to Father having placement of T.F., FCM Roenfanz answered:

Showing consistency and a history of appropriate behavior. Addressing his own substance use. Following any recommendations made by his substance use assessment, which he has not completed any of them. Prioritizing and involving himself in his substance abuse. If his job or transportation is an

issue maybe another job to work around the schedule. I don't know how to fix that.

Transcript Volume II at 161.

[28] CASA Vandergriff testified that DCS became involved due to concerns with substance abuse, domestic violence, and the welfare of the child. When asked about her concerns with Mother's ability to care for the child, she answered:

I would say that my biggest concern is an unaddressed mental health situation. Specifically she has been through different service providers, starting with Southwestern. She did complete the Matrix program with them. But she did not follow through on the individual therapy that they recommended.

Id. at 165. When asked if she thought Mother was able to remedy the reasons that the child was removed from her, CASA Vandergriff answered: "I feel having been involved in the case as long as I have and the number of services that have been offered, we haven't seen a consistent pattern of her being able to address all of the concerns." *Id.* at 166. She indicated Mother had a positive drug screen on January 4, 2022. She also stated that "as part of the Total Care records [Mother] stated that she was using mushrooms and mind altering drugs to help her sleep as part of that." *Id.* at 172.

[29] With respect to Mother's housing, CASA Vandergriff stated:

[Mother] has been evicted from the house that they were in for quite a while on Jefferson. She was homeless at that point, living out of her car for a short amount of time. Moved into her [mother's]. Got an apartment over on Indiana Street I believe it

is. And with financial help from one of her other children's [father] was able to get that apartment. And is currently not in that apartment anymore. I believe she is without a location at this point but I don't know the details.

Id. at 182-183. She indicated Mother "picked up at least a couple criminal charges" since she has been involved in the case and also had an outstanding warrant that affected her ability to visit with T.F. *Id.* at 183.

[30] When asked if she thought Father was able to remedy the reasons requiring T.F.'s removal, CASA Vandergriff answered: "Do I think he's able, maybe. I don't think he's willing." *Id.* at 167. When asked if she thought it was likely, she replied: "History has shown that it's not something that he has put priority on." *Id.*

[31] With respect to her concerns with Father, CASA Vandergriff testified: "Initially it was the substance abuse. It was the history of domestic violence. But throughout the course of the case it's his inconsistency with services, with visits. There's not enough data points, I don't believe, to really get a full understanding of his capabilities." *Id.* at 165. She also testified that "since the no contact order has been in place there have been multiple instances where they have broken that no contact order, as recently as this past month." *Id.* at 166. CASA Vandergriff also testified that Father indicated to her that "they wanted him to do the MRT program," which would include AA/NA meetings, he was not going to participate in those, felt they were a waste of time, and he "didn't need them so he was not going to do that portion of the services." *Id.* at

185. She testified that Father obtained some individual counseling from Lampion but was discharged due to non-compliance and lack of engagement. She testified that Father completed the first half of the Matrix program in March 2022 but did not begin the second half, “which is classified as MRT, and was discharged due to lack of interaction.” *Id.* at 189. She stated that Father engaged in counseling at different times outside of the Matrix program but none to completion.

[32] In light of the unchallenged findings and the evidence set forth above and in the record, we cannot say the trial court clearly erred in finding a reasonable probability exists that the conditions resulting in the child’s removal and the reasons for placement outside Parents’ care will not be remedied.

[33] While the involuntary termination statute is written in the disjunctive and requires proof of only one of the circumstances listed in Ind. Code § 31-35-2-4(b)(2)(B), we note that the trial court also found that continuation of the parent-child relationship posed a threat to the child’s well-being. “Clear and convincing evidence need not reveal that ‘the continued custody of the parents is wholly inadequate for the child’s very survival.’” *In re G. Y.*, 904 N.E.2d 1257, 1261 (Ind. 2009) (quoting *Bester v. Lake Cnty. Office of Family & Child.*, 839 N.E.2d 143, 148 (Ind. 2005) (quoting *Egley v. Blackford Cnty. Dep’t of Pub. Welfare*, 592 N.E.2d 1232, 1233 (Ind. 1992))), *reh’g denied*. “Rather, it is sufficient to show by clear and convincing evidence that ‘the child’s emotional and physical development are threatened’ by the respondent parent’s custody.” *Id.* (quoting *Bester*, 839 N.E.2d at 148 (quoting *Egley*, 592 N.E.2d at 1234)).

[34] FCM Roenfanz testified that she believed not terminating Father's parental rights would pose a threat to T.F. When asked why, she answered:

Based on the information I have [Father] has not engaged as primary custodian. When the child's health, or dental health, was in question, [Father] has rights to the child, he could've intervened at any time to ensure the child's safety and well being. He has not, again, finished or complied with any services to the full end. So I don't even know where he would be standing on those recommendations that were made at that time.

Transcript Volume II at 154.

[35] When asked if she thought there was a threat of harm if T.F. were to remain in Mother's care if parental rights were not terminated, FCM Roenfanz answered: "I think it would negatively impact his well being." *Id.* at 151. She also stated:

[Mother] has demonstrated [an] inability to address her own mental and medical needs. She's shown that she did not address her child's [] when she had him. She's shown again that she puts herself in situations that are unsafe with DV. She's reported DV on [Father] and then she went back to live with him and his [mother] recently.

Id. at 152.

[36] CASA Vandergriff testified that she thought there was a threat of harm to T.F. if Mother's parental rights were not terminated because she was concerned whether Mother "would be able to provide the structure, the supports, that [T.F.] would require." *Id.* at 167. When asked if there was a threat of harm if Father's parental rights were not terminated, she answered affirmatively. She

testified: “I think that [T.F.] would be in a risky situation in order to meet his needs physically, socially, economically. I don’t believe that the supports are in place with either parent outside of Court ordered intervention, individuals supporting them at this point to help provide the safety net that is necessary to raise a child.” *Id* at 168. We conclude that clear and convincing evidence supports the trial court’s determination that there is a reasonable probability that the continuation of the parent-child relationship poses a threat to the child’s well-being.

[37] In determining the best interests of children, the trial court is required to look to the totality of the evidence. *McBride v. Monroe Cnty. Off. of Fam. & Child.*, 798 N.E.2d 185, 203 (Ind. Ct. App. 2003). The court must subordinate the interests of the parent to those of the children. *Id.* The court need not wait until a child is irreversibly harmed before terminating the parent-child relationship. *Id.* The recommendation of a case manager and child advocate to terminate parental rights, in addition to evidence that the conditions resulting in removal will not be remedied, is sufficient to show by clear and convincing evidence that termination is in the children’s best interests. *A.D.S. v. Ind. Dep’t of Child Servs.*, 987 N.E.2d 1150, 1158-1159 (Ind. Ct. App. 2013), *trans. denied.*

[38] When asked if it was in T.F.’s best interests for Parents’ parental rights to be terminated, FCM Roenfanz answered affirmatively. CASA Vandergriff testified that she believed termination of parental rights was in T.F.’s best interests because she thought T.F. “deserves a stable environment to grow up in with the supports that are necessary for him to become a strong young man.”

Transcript Volume II at 167. CASA Vandergriff also testified that she thought termination of Father’s parental rights was in T.F.’s best interests because T.F. “deserves the support, the structure, the things that will help build him into a fully realized functional young man” and she thought “the inconsistencies that [Father] has shown is his willingness to participate, to follow through, in some cases to initiate, puts [T.F.] in a precarious predicament.” *Id.* at 167-168.

Based on the totality of the evidence, we conclude the trial court’s determination that termination is in the child’s best interests is supported by clear and convincing evidence.

[39] For the foregoing reasons, we affirm the trial court.

[40] Affirmed.

Riley, J., and Foley, J., concur.

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