

RENDERED: SEPTEMBER 9, 2016; 10:00 A.M.
NOT TO BE PUBLISHED

Commonwealth of Kentucky

Court of Appeals

NO. 2015-CA-001026-ME

B.B.

APPELLANT

v. APPEAL FROM JEFFERSON CIRCUIT COURT
HONORABLE ANGELA J. JOHNSON, JUDGE
ACTION NO. 14-AD-500233

CABINET FOR HEALTH AND FAMILY
SERVICES, COMMONWEALTH OF
KENTUCKY; AND K.B.S. (A CHILD)

APPELLEES

AND

NO. 2015-CA-001027-ME

B.B.

APPELLANT

v. APPEAL FROM JEFFERSON CIRCUIT COURT
HONORABLE ANGELA J. JOHNSON, JUDGE
ACTION NO. 14-AD-500234

CABINET FOR HEALTH AND FAMILY
SERVICES, COMMONWEALTH OF
KENTUCKY; K.M.S. (A CHILD)

APPELLEES

AND

NO. 2015-CA-001028-ME

B.B.

APPELLANT

v.

APPEAL FROM JEFFERSON CIRCUIT COURT
HONORABLE ANGELA J. JOHNSON, JUDGE
ACTION NO. 14-AD-500235

CABINET FOR HEALTH AND FAMILY
SERVICES, COMMONWEALTH OF
KENTUCKY; AND K.L.S. (A CHILD)

APPELLEES

OPINION
AFFIRMING

** ** * * * * *

BEFORE: DIXON, J. LAMBERT, AND NICKELL, JUDGES.

DIXON, JUDGE: B.B. (“Mother”), *pro se*, appeals from three separate judgments of the Jefferson Circuit Court terminating her parental rights to K.B.S., K.M.S., and K.L.S. (“Children”).¹ Finding no error, we affirm.

On November 26, 2012, the Cabinet filed petitions alleging the Children were abused or neglected as a result of a fractured arm and fractured ribs sustained by K.L.S., who was three months old at the time. Mother and Father had failed to seek medical care for K.L.S.’s injuries for five days. Temporary custody of the Children was given to a relative; however, the Children were committed to

¹ The court also terminated the parental rights of the Children’s father, K.S. (“Father”), and he did not appeal from those judgments.

the Cabinet in August 2013. Mother and Father ultimately stipulated K.L.S. was abused, and the other two children were at risk for abuse.

The Cabinet subsequently filed an action seeking to terminate the parental rights of Mother and Father, and a bench trial was held on May 6, 2015. The circuit court rendered lengthy findings of fact and conclusions of law, which detailed Mother's non-compliance with the Cabinet's case plan, her numerous failed drug screens, and her inability to complete abusive parenting classes because she refused to acknowledge responsibility for the harm inflicted on the Children. The Court noted Mother had not had any contact with the Children since August 2013, she had made no effort to pay her child support obligation, and she was in danger of being evicted. At the time of the trial, the Children were ages seven, three, and two, and they had been in foster care for nearly two years. The court noted the Children were doing very well and were attached to their foster parents, who hoped to adopt them. The court concluded that termination of parental rights was in the Children's best interests.²

Parental rights "can be involuntarily terminated only if there is clear and convincing evidence that the child has been abandoned, neglected, or abused by the parent whose rights are to be terminated, and that it would be in the best

² The court recited several factors pursuant to KRS 625.090 to support its decision: The Children had been committed to the Cabinet for at least twenty-one months preceding the filing of the petition; The Children were abused or neglected as defined by KRS 600.020(1); Mother continuously failed to provide essential parental care for the Children; For reasons other than poverty alone, Mother continuously failed to provide for the Children's essential food, clothing, shelter, medical care or education; There was no reasonable expectation that Mother's conduct would improve in the immediate future; Mother failed to make reasonable efforts to change her conduct so the Children could return home.

interest of the child to do so.” *Cabinet for Health and Family Services v. A.G.G.*, 190 S.W.3d 338, 342 (Ky. 2006); KRS 625.090. The trial court’s findings of fact are entitled to great deference; accordingly, this Court applies the clearly erroneous standard of review. CR 52.01; *M.P.S. v. Cabinet for Human Resources*, 979 S.W.2d 114, 116 (Ky. App. 1998). Where the record contains substantial evidence to support the trial court’s findings, we will not disturb them on appeal. *Id.*

On appeal, Mother challenges the sufficiency of the evidence supporting the court’s decision to terminate her parental rights. Mother specifically challenges the accuracy of a positive drug screen, and she contends she had a valid explanation for being unable to complete abusive parenting classes.

Mother’s claims are conclusory and unpersuasive. We have carefully reviewed the record and conclude that substantial evidence supports the court’s determination. The court rendered specific findings that the statutory requirements for termination had been met and that it was in the Children’s best interests to terminate Mother’s parental rights.

For the reasons stated herein, we affirm the judgments of the Jefferson Circuit Court in each of these appeals.

ALL CONCUR.

BRIEF FOR APPELLANT:

B.B., *Pro se*
Louisville, Kentucky

BRIEF FOR APPELLEE:

Erika L. Saylor
Louisville, Kentucky