

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

**DIVISION II**

In re the Welfare of:

R.F-D. and J.F-D,

Minors.

No. 41430-9-II  
(Consolidated with No. 41434-1-II)

UNPUBLISHED OPINION

Armstrong, J.—A.F-D., the mother of R.F-D. and J.F-D., appeals from the orders terminating her parental rights.<sup>1</sup> She argues that the juvenile court erred in requiring her to conduct part of her defense in the termination trial pro se because she did not knowingly and voluntarily waive her right to counsel, as required under *In re Dependency of G.E.*, 116 Wn. App. 326, 333, 65 P.3d 1219 (2003). The Department of Social and Health Services concedes that A.F-D. is correct and asks that we remand to allow her to re-open her defense. We accept the Department's concession, vacate the termination orders, and remand to allow A.F-D. to re-open her defense following the appointment of new counsel or a valid waiver of her right to counsel.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record pursuant to RCW 2.06.040, it is so

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<sup>1</sup> A commissioner of this court initially considered A.F-D.'s appeal on accelerated review under RAP 18.13A and then transferred it to a panel of judges.

No. 41430-9-II (Cons. with  
No. 41434-1-II)

ordered.

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Armstrong, J.

We concur:

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Worswick, A.C.J.

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Johanson, J.