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In the Office of the Clerk of Court
WA State Court of Appeals, Division III

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION THREE

In the matter of the Parental Rights to)	
)	No. 34842-3-III
D.S.P.A.)	
)	
)	UNPUBLISHED OPINION
)	
)	

FEARING, C.J. — Sabrina Andrews challenges, for numerous reasons, the trial court's termination of her parental rights to her young daughter. We reject all assignments of error and affirm the trial court's order of termination.

FACTS

This appeal concerns the termination of parental rights of the mother, Sabrina Andrews, to her daughter, Danika. Both names are fictitious. We first outline some background of the mother.

Sabrina Andrews was born in Walla Walla in 1983. Andrews' parents abused controlled substances, committed acts of violence, and neglected her. Andrews quit school in the sixth grade and never obtained a general education development (GED) certificate. At age eleven, Andrews commenced life on the streets, where she fell victim to physical and sexual abuse. From 1997 to 2015, the State convicted Andrews of at least sixteen crimes.

Sabrina Andrews married in 2005, but divorced within a year because of an abusive husband. Andrews bore Danika on July 27, 2013. Andrews believes that Juan Prezevega, who resides in another nation, fathered Danika, but paternity has never been established. Mother and daughter then resided in Walla Walla.

On September 3, 2013, Danika, less than two months old, suffered an intercranial hemorrhage from falling from a kitchen table. Mother Sabrina Andrews repeatedly claimed a cat bumped Danika off the table. A confidential informant reported to Child Protective Services (CPS) that an intoxicated Andrews knocked Danika, who rested in an infant seat, from the kitchen table. Medical personnel airlifted Danika from Walla Walla to Spokane for specialized care. Medical personnel did not then report any child abuse.

As a result of the report of Danika's injuries and Sabrina Andrews' conduct, CPS contacted Andrews and investigated the injuries to Danika. CPS determined that a dependency was not warranted, but offered Andrews parenting services. Andrews declined the offer.

In January 2014, Sabrina Andrews' family reported, to Department of Social and Health Services (DSHS), child abuse of Danika by Andrews. On January 29, 2014, after an investigation by DSHS, the department determined that Andrews had not abused Danika, that Danika functioned at age appropriate levels, and that Andrews had taken Danika to all needed medical appointments. The DSHS investigator found that Andrews' family reported child abuse because of a conflict between Andrews and her family. The

investigator further concluded that Andrews capably met Danika's basic needs. DSHS then noted that, although Andrews may suffer from mental health illness, Andrews ably treated the illness through YWCA services.

In April 2014, law enforcement officers arrested an intoxicated Sabrina Andrews for pushing her boyfriend in view of the officers. The officers escorted Andrews to jail, but left Danika with Andrews' boyfriend and Andrews' roommate of three weeks. The roommate had a significant criminal history. After investigation of Andrews' assault on her boyfriend, DSHS concluded that Andrews physically neglected Danika. Andrews agreed to participate in voluntary services through DSHS.

On June 5, 2014, Stephen Rubin, a licensed clinical psychologist, performed a diagnostic psychological evaluation on Sabrina Andrews for the purpose of determining if Andrews qualified for disability services with the Social Security Administration. Dr. Rubin concluded:

[Andrews] is a woman who has always had difficulties educationally, interpersonally and mood-wise. She has medical problems. There may be some jobs she can do with training but she cannot compete in a normal job situation. She cannot handle the stress, she has limited skills and she has some limitations in what she can understand. Her mobility is poor and her ability to stand or sit for long lengths of time may also be compromised. She appears to be capable of handling her own money. She said she likes to save. There does not appear to be evidence of drug or alcohol involvement. [Andrews] needs assistance. She needs structure around her and support either from family or professionals. At present, she is involved with The Children's Home Society and involves herself in their parenting classes. She appears to want to be able to take care of her child and provide a good home but it is questionable if she could do this on her

own.

Clerk's Papers (CP) at 236-37.

On August 21, 2014, a source reported that one-year-old Danika bled from the rectum due to a diaper rash after Sabrina Andrews left Danika in the care of a friend while Andrews attended a doctor's appointment. The referent also reported that Andrews appeared under the influence of controlled substances during the physician's appointment. Another source reported that Andrews attempted to sell Danika for \$30,000 and later reduced the asking price to \$10,000.

On August 22, 2014, the Walla Walla Police Department took Danika into protective custody. Sabrina Andrews then underwent a domestic violence perpetrator evaluation, which indicated Andrews posed a minimal risk for perpetrating violence and did not recommend a domestic violence perpetrator treatment program.

On October 16, 2014, the trial court entered an order of dependency for Danika. The trial court ordered the following services for Sabrina Andrews:

1. [Andrews] will complete the recommended chemical dependency services as recommended by Serenity Point Counseling.
2. [Andrews] will participate in random urinalysis testing as requested by the Department.
3. [Andrews] will take her medication as prescribed.
4. [Andrews] will not sell her unused medication.
5. [Andrews] will not give her medication to others.
6. [Andrews] will not use or permit alcohol, or other narcotics, into her home.
7. [Andrews] will not associate with persons who do not support her sobriety and recovery.

8. [Andrews] will participate in weekly domestic violence counseling, either in group or individual sessions.

9. [Andrews] will participate in individual mental health counseling on a weekly basis. [Andrews] will participate in medication management as recommended by mental health provider and primary care physician.

10. [Andrews] will not associate with persons known to have criminal histories and/or as perpetrators of Child Abuse and Neglect.

11. [Andrews] will not permit persons to stay overnight at her home who have not first completed a background check through [DSHS].

12. [Andrews] will continue to participate in Early Head Start services and parenting education services through Children's Home Society.

13. [Andrews] will complete a psychological evaluation which includes a parenting component and a component which determines her ability to control her impulses.

14. [Andrews] will maintain compliance with Department of Corrections community supervision requirements.

15. [Andrews] will maintain monthly contact with [DSHS].

16. [Andrews] will regularly attend visitation with [Danika], coming prepared to visits with healthy meals/snacks, diapers and age appropriate activities.

17. [Andrews] will sign all release of information forms as requested by the Department.

Ex. 3 at 11-12.

Upon the entry of the dependency, Megan Miller, the social worker assigned to Danika, considered Dr. Stephen Rubin's evaluation of Sabrina Andrews, the domestic violence perpetrator evaluation of Andrews, Andrews' description of her childhood, Andrews' juvenile record, and the advice of other professionals to assess the family needs of Andrews and Danika. Miller concluded that Andrews suffered from cumulative trauma that required "individual one-on-one services." Report of Proceedings (Oct. 25, 2016) at 76-77. According to Miller, Andrews earlier participated in services but had not

demonstrated progress. The previous services included Early Head Start and Children's Home Society parenting skills training and a domestic violence advocate program with the YWCA.

DSHS recommended that Sabrina Andrews continue participation in Early Head Start and join a parenting support group labeled Home Team Volunteers. DSHS also re-engaged Andrews with services through the YWCA and asked her to complete an intake evaluation with Comprehensive Mental Health. DSHS made available staff and a parent aid at Children's Home Society to assist Andrews with homework or written assignments from her service providers. The same professionals remained available to explain any subject on which Andrews lacked understanding and to help with communication.

The YWCA afforded Sabrina Andrews domestic violence counseling services. Andrews met with the domestic violence advocate once a month. She declined to participate in recommended chemical dependency treatment.

On September 30, 2014, Sabrina Andrews entered intensive outpatient services at Serenity Point Counseling, where she underwent counseling in one-hour sessions three times each week. At some unidentified concomitant date, Andrews' roommate committed suicide, which event necessitated Andrews to procure new living quarters through the Walla Walla Housing Authority. According to DSHS, obtaining an apartment at the housing authority illustrated Andrews' resourcefulness of procuring housing when needed. The housing authority apartment permitted easy access to public

transportation and DSHS' Walla Walla office.

Sabrina Andrews engaged in supervised visitation with Danika. Nevertheless, violent offenders lived near Andrews' new location at the housing authority. Andrews refused to set boundaries to ensure Danika's safety during visits. Andrews allowed random men, some whom she could not identify, to enter and exit the apartment. Therefore, DSHS moved Danika's home visits with her mother because visitation supervisors did not feel safe in Andrews' home. Andrews continued with visitation into 2015.

On November 7, 2014, law enforcement officers arrested Sabrina Andrews for selling pain pills to a confidential informant. This conduct violated the trial court's dependency order. We do not know if Andrews then resided in jail for a short window of time, but authorities eventually released her pending trial.

At some unidentified time, Sabrina Andrews moved to the Tri-Cities. She then repeatedly refused to tell DSHS of her location. She also would not identify her place of employment. Eventually, DSHS learned that Andrews resided at Pasco's Union Gospel Mission. She left the Mission in August 2015, but did not notify her DSHS caseworker. Andrews then disengaged in any services through DSHS.

On December 16, 2015, Sabrina Andrews pled guilty to two counts of delivery of a controlled substance. For a short period of time, Andrews was incarcerated in the Walla Walla County Jail. During this time, Andrews lacked contact with Danika. Her

caseworker visited her in the jail. The Walla Walla County jail did not initially offer any services, but afforded some services beginning in March 2016. The caseworker asked one of Andrews' former counselors, who had access to the jail, to visit Andrews.

PROCEDURE

On January 15, 2016, DSHS filed a petition to terminate Sabrina Andrews' parental rights to Danika.

On February 8, 2016, Sabrina Andrews sent Loni Conklin a letter, in which Andrews expressed a desire for reunification with Danika, then two years and eight months old, requested a copy of her service plan, and requested a list of court ordered services. From February 25 to August 25, 2016, DSHS permitted Andrews monthly contact with Danika only by letter. DSHS determined that personal visits did not serve Danika's best interests. DSHS noted that Andrews had not visited Danika since August 2015 even when not jailed. Visits prior to August 2015 were inconsistent.

At some unidentified time, the Washington State Department of Corrections (DOC) assumed custody of Sabrina Andrews. Andrews then sought mental health services but DOC concluded that she did not qualify for services. DSHS caseworker Loni Conklin frequently contacted Andrews' DOC counselor to identify available services. While in DOC custody, Sabrina Andrews enrolled in the following classes: General Education Development, Alcoholics Anonymous, Narcotics Anonymous, Celebrate Recovery, Peace Talks, Non Violent Communications, Partners in Parenting,

Confident Parenting, Incarcerated Mothers Advocacy Project Parenting, Stress and Anger Management, and daily exercise.

In a March 15, 2016 letter, Sabrina Andrews' attorney complained to DSHS that the monthly letters Andrews sent to Danika failed to benefit the daughter and that Loni Conklin's efforts to arrange visitation were insufficient. While Sabrina Andrews resided with DOC, Conklin arranged frequent phone conversations with Andrews and her DOC counselor as often as two or three times a week, in order to discuss services, visitation, and dependency proceedings.

In an undated letter to the superior court and the DSHS attorney, Sabrina Andrews requested a new case worker because Loni Conklin only provided referrals for programs for Danika and never answered Andrews' phone calls. According to Andrews, after several calls from Andrews, Conklin told Andrews to stop calling and promised to visit Andrews. Conklin's treatment of Andrews embarrassed Andrews, and the mother concluded that she needed a different case worker who would assist her instead of jeopardizing her parenting rights.

DSHS procured a second psychological evaluation for the imprisoned Sabrina Andrews in July 2016. The evaluator, Dr. David Morgan, echoed the findings of Dr. Stephen Rubin. Morgan concluded that Andrews suffered from depression and an abusive childhood. Morgan wrote in his report:

it does seem possible for [Andrews] to develop the skill set to be an

effective parent. She does not seem to have any chronic mental health issues . . . that would impact her ability to effectively perceive her environment . . . [Andrews] has a long history of troubled experiences . . . contributed to her overall personality and flawed thinking processes. She could benefit from [the] opportunity and resources to be able to overcome these situations and make a better life for herself and her daughter. However, this will depend largely on her motivation to consistently make good choices, which motivation has been in short supply in the past.

Ex. 1 at 7-8.

In testimony and in his evaluation report, David Morgan noted Sabrina Andrews' chronic poor decision making and difficulty in taking accountability for her behavior. Morgan concluded that Andrews was not developmentally delayed. Morgan recommended that Andrews engage in weekly mental health counseling that focused on depression, parenting, childhood trauma, personal responsibility, effective decision making, and effective coping.

The Walla Walla County Juvenile Court held a termination trial on October 25 and 26, 2016. Danika was then three years old.

On October 31, 2016, the juvenile court terminated Sabrina Andrews' parent-child relationship with Danika. The court found:

18) Due to the fact that [Sabrina Andrews] will be incarcerated for another 10 months, minimum, and the fact that she has not consistently participated in nor made progress in any recommended service, has not remedied her parental deficiencies within 12 months of the child's placement, it is unlikely that she can or will make the necessary changes to remedy the deficiencies in the near future.

. . . .
(g) The mother is currently unfit to parent. [Andrews] has remedied

none of the deficiencies identified by CPS during its investigation, including domestic violence, unstable living conditions, criminal involvement, unsafe people allowed around her daughter, mental health and drug abuse issues that lead her to make unsafe choices regarding her safety and [Danika]'s. She has not participated in any service in any sufficient degree to render her fit to safely parent [Danika].

....

(h) . . . [Andrews] has maintained contact with letters and cards. However, prior to incarceration, she had no contact or visits with her child for six months, by failing to appear for visitations. She no longer has a meaningful relationship with her child as a result.

....

(ii) . . . The department has gone above and beyond to communicate with [Andrews] and the prison counsellor [sic] to assess the services available in the prison to assist [Andrews] in complying with the plan. [Andrews] frequently writes letters to the department social worker and the court.

....

(iii) [Andrews] has stated she wants to parent. However, she has demonstrated she lacks the ability to successfully follow through with this desire.

....

(iv) . . . The information provided indicates that [Andrews] has not remedied the parental deficiencies such that reunification is not possible immediately upon her release.

....

(v) . . . [Andrews] has participated telephonically in court hearings and case planning meetings since her incarceration. Visitation was determined to not be in the child's best interests for a variety of reasons, including the distance a young child would have to travel by car to visit a woman she does not know. In addition, the JPay video conferencing system is not consistently available, nor is it supervised on the prison end. A young child is incapable of sitting still for long enough to participate meaningfully in a video conference, again with a woman she doesn't know.

....

(vi) . . . The court finds that continued involvement of the parent in the child's life is not in the child's best interests, for the reasons listed above.

CP at 294-96.

LAW AND ANALYSIS

Issue 1: Whether DSHS must provide a parent, with a dependent child, competent case management services, and, if so, did DSHS afford Sabrina Andrews incompetent case management services?

Answer 1: No. DSHS has no obligation to provide competent case management services independent of its other statutory obligations.

Sabrina Andrews contends the trial court erred in terminating her parental rights for at least three reasons. First, DSHS failed to competently manage services provided to Andrews during the dependency. Second, DSHS failed to deliver services to Andrews tailored to her needs as a parent. Third, termination of Andrews' parental rights does not serve Danika's best interests. We address these contentions in such order.

We review principles familiar to termination of parental rights cases. The Fourteenth Amendment to the United States Constitution and article I, section 3 of the Washington State Constitution protects a parent's fundamental liberty interest in the care and custody of his or her children. U.S. CONST. amend. XIV; CONST. art. 1, §3; *In re Dependency of V.R.R.*, 134 Wn. App. 573, 581, 141 P.3d 85 (2006). The State also has a compelling interest in protecting the physical, mental and emotional health of the children. *In re Dependency of V.R.R.*, 134 Wn. App. at 581.

Termination of parental rights is a two-step process. *In re Welfare of C.B.*, 134

Wn. App. 942, 952, 143 P.3d 846 (2006). First, the State must show that six statutory requirements under RCW 13.34.180(1) are established by clear, cogent, and convincing evidence. RCW 13.34.190(1)(a)(i). This means the State must show that the relevant ultimate facts in issue are “highly probable.” *In re Dependency of K.R.*, 128 Wn.2d 129, 141, 904 P.2d 1132 (1995); *In re Welfare of Sego*, 82 Wn.2d 736, 739, 513 P.2d 831 (1973). The State must independently prove each requirement in RCW 13.34.180(1) before a trial court may order the termination of parental rights. *In re Dependency of K.D.S.*, 176 Wn.2d 644, 656, 294 P.3d 695 (2013). Second, the State must show a termination order serves the best interests of the child. RCW 13.34.190(1)(b). The trial court must find by a preponderance of the evidence that termination furthers the best interests of the child. *In re Welfare of M.R.H.*, 145 Wn. App. 10, 24, 188 P.3d 510 (2008).

RCW 13.34.180 and .190 list the factors that the State must prove in order to terminate a parent’s rights to a child. Those factors do not include competent management services. Sabrina Andrews cites no case that requires DSHS to deliver competent case management services. We recognize the need for competent management of services afforded a parent during a dependency action. Nevertheless, the lack of reasonable management will impact whether DSHS establishes the statutory elements already listed for termination. We hold that DSHS holds no independent duty to provide competent management services.

Issue 2: Whether DSHS failed to deliver necessary services tailored to Sabrina Andrews' needs, before DSHS sought termination of parental rights?

Answer 2: No.

Sabrina Andrews next argues that the trial evidence failed to establish that DSHS dispensed services customized for her needs, one of the elements required for a parental termination. She also lists various services not provided, including a psychological evaluation, mental health counseling, and attachment services, among others. We hold that the trial court, based on substantial evidence, permissibly found that DSHS provided sufficient services.

An appellate court will not disturb the trial court's findings concerning the elements of a parental rights termination case if substantial evidence supports the findings. *In re Welfare of Sego*, 82 Wn.2d at 739 (1973). When DSHS must prove its case by clear, cogent, and convincing evidence, the evidence must be more substantial than that required under a preponderance of the evidence standard. *In re Dependency of C.R.B.*, 62 Wn. App. 608, 618, 814 P.2d 1197 (1991). Required findings must be sufficiently specific to permit meaningful review. *In re Detention of LaBelle*, 107 Wn.2d 196, 218, 728 P.2d 138 (1986). Although the degree of particularity required depends on the circumstances of each case, at minimum the findings should indicate the factual bases for the ultimate conclusions. *In re Dependency of C.R.B.*, 62 Wn. App. at 618. The reviewing court may look to the entire record to determine whether the evidence supports

the trial court's findings. *In re Dependency of C.R.B.*, 62 Wn. App. at 618.

RCW 13.34.180(1) demands that DSHS provide the parent services needed to correct deficient parenting skills. When DSHS seeks to terminate a parent's rights, it must show, in part, by clear, cogent, and convincing evidence:

(d) That the services ordered under RCW 13.34.136 have been expressly and understandably offered or provided *and* all necessary services, reasonably available, capable of correcting the parental deficiencies within the foreseeable future have been expressly and understandably offered or provided.

RCW 13.34.180(1) (emphasis added). To meet this statutory burden, DSHS must tailor the services it offers to meet each individual parent's needs. *In re Dependency of T.R.*, 108 Wn. App. 149, 161, 29 P.3d 1275 (2001).

Sabrina Andrews contends that her diminished cognitive functioning required personalized assistance. RCW 13.34.136(2)(b) requires DSHS to undertake special services for developmentally disabled parents. The statute provides in pertinent part:

(i) . . .

(B) If a parent has a developmental disability according to the definition provided in RCW 71A.10.020, and that individual is eligible for services provided by the developmental disabilities administration, the department shall make reasonable efforts to consult with the developmental disabilities administration to create an appropriate plan for services. For individuals who meet the definition of developmental disability provided in RCW 71A.10.020 and who are eligible for services through the developmental disabilities administration, the plan for services must be tailored to correct the parental deficiency taking into consideration the parent's disability and the department shall also determine an appropriate method to offer those services based on the parent's disability.

We reject Sabrina Andrews' contention that DSHS failed to tailor services to address her cognitive deficits for two reasons. First, Andrews failed to establish any cognitive deficit. Dr. Stephen Rubin found that Andrews had some inability to understand. Nevertheless, he never opined that Andrews was eligible for developmental disabilities services. Rubin concluded that Andrews needed assistance and structure, but did not opine that she needed any special services. Most, if not all parents, whose child is found dependent of the State, need assistance and structure. Dr. Morgan concluded that Andrews was not developmentally delayed.

Regardless, the DSHS social worker reviewed Dr. Stephen Rubin's evaluation of Sabrina Andrews, a domestic violence perpetrator evaluation, Andrews' description of her childhood, Andrews' juvenile record, and the advice of other professionals when fashioning services for Andrews. Based on this review, DSHS referred Andrews to individual parenting services, domestic violence services, and mental health services. The ordered services for Andrews included Early Head Start and parenting education through Children's Home Society, individual mental health counseling, domestic violence counseling, and chemical dependency services. Staff at DSHS and Children's Home Society assisted Andrews with communication skills, homework, and answering questions on topics Andrews lacked understanding.

DSHS scheduled and encouraged Andrews to see her mental health counselor on a weekly basis, but Andrews chose only to attend once a month. DSHS originally

scheduled counseling for three times per week.

Sabrina Andrews argues that DSHS failed to timely offer a psychological evaluation. Nevertheless, when the dependency began, DSHS already had an evaluation from August 2014. DSHS arranged a second evaluation in July 2016. DSHS can be faulted for using a 2014 evaluation aimed at determining whether Andrews qualified for social security because of a developmental disability. Assuming Andrews contends that DSHS should have procured another evaluation before 2016, we question the need of an intermediary evaluation. David Morgan and Stephen Rubin agreed with one another in their respective evaluations. Andrews refused the recommended and available weekly mental health counseling. A parent's unwillingness or inability to engage in services provided excuses the State from offering extra services that might have helped. *In re Dependency of P.D.*, 58 Wn. App. 18, 26, 792 P.2d 159 (1990).

Sabrina Andrews also contends that DSHS impermissibly failed to provide integrated chemical dependency and mental health treatment. Andrews cites to *In re Welfare of S.J.*, 162 Wn. App. 873, 256 P.3d 470 (2011), in which this court reversed a termination order because DSHS delayed the provision of mental health counseling.

In our appeal, DSHS encouraged Sabrina Andrews to engage in mental health treatment even before the dependency began. When the dependency commenced, DSHS provided mental health counseling three times a week in addition to chemical dependency treatment. Andrews refused chemical dependency assistance.

Sabrina Andrews next contends that DSHS failed to acquire safe and stable housing for her. Nevertheless, the testimony established that Andrews competently procured housing on her own at the Walla Walla YWCA, the Walla Walla Housing Authority, and in the Tri-Cities. She moved multiple times during the dependency without assistance from DSHS and sometimes without notice to DSHS. For months, DSHS did not know the location of Andrews because of her procuring housing on her own and refusal to contact DSHS. DSHS cannot be faulted for failing to provide Andrews adequate housing when she often found housing on her own and, assuming she lacked housing on other occasions, she refused to identify her location.

Sabrina Andrews next argues that DSHS failed to ensure the adequacy of domestic violence services because, although DSHS referred her to the YWCA for such counseling, YWCA declined the service. This argument misstates the facts. The YWCA once refused housing for Andrews, but never refused other services. While Andrews remained in Walla Walla she met with a domestic violence advocate once a month.

Sabrina Andrews argues that DSHS failed to offer services due to her incarceration and failed to provide attachment services and visitation opportunities while she rested in prison. RCW 13.34.136(2)(b)(i)(A) provides:

If the parent is incarcerated, the plan must address how the parent will participate in the case conference and permanency planning meetings and, where possible, must include treatment that reflects the resources available at the facility where the parent is confined.

This statute recognizes the unfortunate reality that incarcerated parents do not have access to equivalent treatment services because incarceration facilities have limited resources. The panoply of professionals available to offer services to the general community are not accessible to the incarcerated parent. As Loni Conklin testified, DSHS encounters difficulty when arranging treatment for incarcerated parents by outside professionals. Instead, the facility will hire some treatment providers to operate in the facility.

The trial court found based on substantial testimony that DSHS fulfilled its duty to communicate with Andrews and the prison counselor to assist Andrews with accessing the required services. Loni Conklin's testimony supported this finding. Thus, DSHS met its statutory duty.

While DOC held custody of Sabrina Andrews, her caseworker arranged phone conversations with Andrews and her DOC counselor as often as two or three times a week to discuss services, visitation, and dependency proceedings. Sabrina Andrews participated in GED-related courses, substance abuse treatment, an intervention program designed for women in the criminal justice system, mental health services, and cognitive behavioral therapy. DSHS cannot dictate what services are available through the DOC. Nevertheless, through persistent communication, the caseworker ensured that Andrews had access to a wide variety of services to address her parental deficiencies.

Related to her argument that DSHS failed to offer her services while incarcerated,

Sabrina Andrews contends that the trial court erroneously considered the incarceration elements enumerated in RCW 13.34.145(5)(b) and RCW 13.34.180(1)(e) and (f). She argues that the trial court prematurely concluded that parental deficits could not be remedied in the near future because of her imprisonment. With this argument, Andrews may insist that DSHS failed to afford all needed services. We have, nonetheless, previously affirmed the trial court's finding that DSHS met its obligation to afford services.

Finally, Sabrina Andrews argues that DSHS failed to provide adequate visitation opportunities and attachment services. Assuming such to be true, the trial court did not terminate Andrews' parental rights because of a lack of bonding with Danika. *In re Parental Rights to B.P.*, 186 Wn.2d 292, 376 P.3d 350 (2016), suggests DSHS must provide attachment services only when DSHS seeks to terminate rights because of a lack of bonding. Also, Andrews did not exercise visitation available to her, and the trial court did not order visitation as a necessary service. Andrews ended visitations when she ceased appearing for visits in August 2015 and did not inform DSHS of her location. Andrews has herself to blame for any lack of visitation.

Issue 3: Whether evidence supported the trial court's conclusion that severing the parent-child relationship between Andrews and Danika Andrews served Danika's best interests?

Answer 3: Yes.

Sabrina Andrews contends that her supposed lifestyle and incarceration and Danika's ties to her foster family did not prove termination of the parent-child relationship fulfilled Danika's best interests. To the contrary, according to Andrews, termination permanently deprives Danika of the companionship of a sincere loving mother. Andrews does not extrapolate or provide supporting reasoning for these contentions. We disagree.

By the time of the termination trial, Danika had reached three years of age. Her first year of life with her mother brought injury and instability. Danika's second year found Sabrina Andrews inconsistent with visitation and with participation in services. During her third year, Danika lacked any contact with Andrews. Andrews' poor decision-making renders her unable to safely parent Danika. Andrews' continued incarceration prevents her from demonstrating consistent engagement of services, and Danika's foster care placement furnishes a stable home where Danika thrives and permits likely adoption.

The final step in DSHS's burden in a parental termination case entails proving by a preponderance of evidence that termination is in the child's best interest. RCW 13.34.190(1)(b). No specific factors control the trial court's best interest determination, and each case must be decided on its own facts and circumstances. *In re Welfare of M.R.H.*, 145 Wn. App. at 28 (2008).

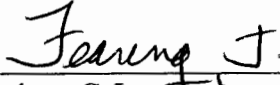
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CONCLUSION

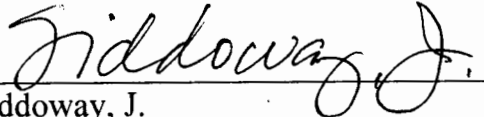
We affirm the termination of Sabrina Andrews' parental rights to her daughter, Danika.

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

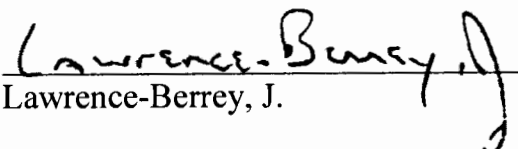


Fearing, C.J.

WE CONCUR:



Siddoway, J.



Lawrence-Berrey, J.