IN THE UTAH COURT OF APPEALS

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State of Utah, in the interest of L.C. and D.C., persons under eighteen years of age.	)	MEMORANDUM DECISION (Not For Official Publication)
	)	Case No. 20060578-CA
A.R.,	)	F I L E D (February 8, 2007)
Appellant,	)	2007 UT App 39
v.	)	
State of Utah,	)	
Appellee.	)	

Third District Juvenile, Salt Lake Department, 462958
The Honorable Frederic (Ric) M. Oddone

Attorneys: Lisa Lokken, Salt Lake City, for Appellant
Mark L. Shurtleff and John M. Peterson, Salt Lake City, for Appellee

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Before Judges Bench, Greenwood, and Orme.

BENCH, Presiding Judge:

A.R. appeals the juvenile court's order terminating her parental rights. A.R. contends that the evidence does not support the juvenile court's finding that the Division of Child and Family Services (the Division) made "reasonable efforts" to reunify A.R. with her children. This issue presents a mixed question of fact and law. See In re A.C., 2004 UT App 255,¶9, 97 P.3d 706. "Accordingly, we review the juvenile court's factual findings for clear error and its conclusions of law for correctness, affording the court some discretion in applying the law to the facts." Id. "[D]etermining whether or not [the Division] has provided reasonable services to parents requires trial judges to observe facts . . . relevant to the application of the law that cannot be adequately reflected in the record available to appellate courts." Id. at ¶12 (third alteration in original) (quotations and citation omitted). Therefore, "the

trial court has broad discretion in determining whether [the Division] made reasonable efforts at reunification." Id.

Because the court directed reunification services, Utah Code section 78-3a-407(3)(a) requires the court to find that the Division "made reasonable efforts to provide those services before the court may terminate the parent's rights." Utah Code Ann. § 78-3a-407(3)(a) (Supp. 2006). This court has defined "reasonable efforts" as a "fair and serious attempt." In re A.C., 2004 UT App 255 at ¶14. The juvenile court found that the Division provided A.R., among other services, the following:

> The Division provided [A.R. with] a caseworker who is trained in social work . . . . The Division provided [A.R.] with two service plans. One plan while the children were in [A.R.]'s home and another after the children were placed with the Bankhead family . . . . The Division held seven Child and Family Team Meetings and invited [A.R.] to each meeting. [A.R.] did attend five of the meetings and the Division gave [her] information for drug treatment, individual counseling, drug testing, kinship placement options, referrals for the psychological evaluation and information regarding medical insurance, Primary Care Network and free health clinics. The Division provided [A.R.] with bus tokens and bus passes and the Division made visits to [A.R.]'s residence to provide information and services to [A.R.]. The Division arranged for [A.R.] to have a drug and alcohol assessment and assisted with referrals to multiple drug treatment facilities including Catholic Community Services, Cornerstone Counseling, Interim Group sessions, House of Hope, Odyssey House, the Cottonwood Treatment Center and the Haven. The Division arranged for [A.R.] to have supervised visits with the children and linked [A.R.] to individual counseling through the Department of Workforce Services and through her drug treatment referrals.

A.R. argues that the Division did not provide the proper level of assistance with regard to A.R.'s substance abuse and mental health issues and, therefore, failed to make a serious attempt to reunify A.R. with her children. We disagree. The Division provided multiple options for A.R., but ultimately it

was her "responsibility to ensure that [she] completed the treatment plan, and [she] failed to do so." In re A.C., 2004 UT App 255 at ¶17. The Division provided A.R. "with a fair and serious means of remedying" her situation, and she "chose not to avail [herself] of the proffered opportunit[ies]." Id. Therefore, A.R. fails to show that the court abused its broad discretion by determinating that the Division made reasonable efforts. See id. at ¶12.

Accordingly, we affirm.

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Russell W. Bench,
Presiding Judge

WE CONCUR:

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Pamela T. Greenwood,
Associate Presiding Judge

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Gregory K. Orme, Judge