



Adoption
2/15/21

In **In re Adoption of E.B.**, 163 N.E.3d 931 (Ind. Ct. App. 2021), the Court affirmed that Mother's consent to the adoption was not necessary, because for a period of two years, Mother failed to support the child when financially able to do so.

The fact Mother's total income was not established was not a reason to disturb the trial court's ruling; the evidence supported the trial court's order finding that mother's consent was not needed due to her failure to support the child when able to do so for a period of at least one year. Id. at 937-38. Mother argued that her ability to pay support could not be established without proof of her total income. Id. The Court determined that this argument did not change the outcome of the case; the evidence showed that between 2014 and 2016, Mother was able to support the child and did not do so. Id. That evidence included Mother's own testimony from a guardianship termination hearing where she indicated she wanted to the guardianship terminated and believed she could provide for the child. Id.

The fact Mother's total income and whether her employment status was part time or full time was never established did not warrant reversing the trial court. Id.