

**STATE OF WEST VIRGINIA**  
**SUPREME COURT OF APPEALS**

**FILED**

January 31, 2011  
RORY L. PERRY II, CLERK  
SUPREME COURT OF APPEALS  
OF WEST VIRGINIA

**In Re: J.V., L.V.:**

**No. 101508**  
**(Mercer 09-JA-115 & 116)**

**MEMORANDUM DECISION**

This appeal arises from the Circuit Court of Mercer County, wherein the Petitioner Mother's parental rights to J.V. and L.V. were terminated. Pursuant to Rule 1(d) of the Revised Rules of Appellate Procedure, the Court is of the opinion that this case is appropriate for consideration under the Revised Rules. The appeal was timely perfected by counsel, with the complete record from the circuit court accompanying the petition. The Court has carefully reviewed the record provided and the written arguments of the parties, and the case is mature for consideration.

The Petitioner Mother challenges the circuit court's termination of her parental rights, arguing that DHHR failed to make sufficient efforts in her rehabilitation by allowing her to choose her own course of substance abuse treatment, and that the termination order lacked the required findings of fact and did not address the reasonable efforts of DHHR. Our review of the record indicates that DHHR made reasonable efforts to provide the Petitioner Mother with services during her improvement period, but Petitioner Mother failed to comply with said services. Moreover, the termination order contains the required findings of fact and specifically states that DHHR "made reasonable efforts to preserve and reunify the family through offered services which the Respondents did not avail themselves of, including parenting education, liberal visitation, counseling and substance abuse treatment."

Having reviewed the record and the relevant decision of the circuit court, the Court is of the opinion that the decisional process would not be significantly aided by oral argument. Upon consideration of the standard of review and the record presented, the Court determines that there is no prejudicial error. This case does not present a new or significant question of law. For these reasons, a memorandum decision is appropriate under Rule 21 of the Revised Rules of Appellate Procedure.

For the foregoing reasons, we find no error in the decision of the circuit court and the termination of parental rights is hereby affirmed.

Affirmed.

**ISSUED:** January 31, 2011

**CONCURRED IN BY:**

Chief Justice Margaret L. Workman  
Justice Robin Jean Davis  
Justice Brent D. Benjamin  
Justice Menis E. Ketchum  
Justice Thomas E. McHugh