# CAPTION: IN RE: M.H. AND B.H.

**04-24-24**

APPEAL NO: C-240002

TRIAL NO: F15-2394Z

KEY WORDS: JUVENILE – PLAIN ERROR – EVIDENCE – HEARSAY – EVID.R. 801 – CUMULATIVE EVIDENCE – PERMANENT CUSTODY – CLEAR AND CONVINCING EVIDENCE – BEST INTEREST

SUMMARY:

The juvenile court did not commit plain error by admitting certain testimony by the agency caseworker where the complained-of testimony included admissible nonhearsay statements by mother offered against her, was largely cumulative to mother’s own testimony, and was not so prejudicial to affect the basic fairness, integrity, or reputation of the judicial process required for plain error.

The juvenile court properly granted permanent custody of the children to the agency where clear and convincing evidence supported its findings that the children cannot be placed with either parent in a reasonable time or should not be placed with either parent and that a grant of permanent custody to the agency was in the best interest of the children.

JUDGMENT: AFFIRMED

JUDGES: OPINION by WINKLER, J.; BOCK, P.J., and BERGERON, J., CONCUR.