

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

South Carolina Department of Social Services,
Respondent,

v.

Beulah Steen and John Doe, Defendants,

Of whom Beulah Steen is the Appellant.

In the interest of a minor under the age of eighteen.

Appellate Case No. 2014-002193

Appeal From Chesterfield County
Michael S. Holt, Family Court Judge

Unpublished Opinion No. 2015-UP-171
Submitted March 2, 2015 – Filed March 27, 2015

AFFIRMED

Cody Tarlton Mitchell, of Auman Law Firm, LLC, of
Hartsville; and Matthew A. Abee, of Nelson Mullins
Riley & Scarborough, LLP, of Columbia, for Appellant.

Delton W. Powers, Jr., of Powers Law Firm, PC, of
Bennettsville, for Respondent.

C. Heath Ruffner, of Harris McLeod & Ruffner, of
Cheraw, for Guardian ad Litem.

PER CURIAM: Beulah Steen (Mother) appeals the termination of her parental rights (TPR), arguing the family court (1) denied her due process by failing to appoint her counsel at the TPR hearing and (2) erred in denying her statutory right to counsel. We affirm pursuant to Rule 220, SCACR, and the following authorities.

1. As to whether Mother was denied due process: *Broom v. Jennifer J.*, 403 S.C. 96, 106, 742 S.E.2d 382, 387 (2013) ("In *Lassiter v. Department of Social Services of Durham County*, 452 U.S. 18, 101 S.Ct. 2153, 68 L.Ed.2d 640 (1981), the United States Supreme Court held there is no absolute right to counsel for an indigent parent in a TPR proceeding. In reaching that conclusion, the Court viewed its prior case law as establishing a presumption that an absolute right to appointed counsel only exists where a defendant's physical liberty is at stake.").

2. As to whether Mother had a statutory right to counsel: S.C. Code Ann. § 63-7-2560(A) (2010) ("Parents, guardians, or other persons subject to a termination of parental rights action are entitled to legal counsel. Those persons unable to afford legal representation must be appointed counsel by the family court, *unless the defendant is in default.*" (emphasis added)).

AFFIRMED.¹

SHORT, LOCKEMY, and McDONALD, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.