Circuit Court for Baltimore City
Case No. T23332010

UNREPORTED

IN THE APPELLATE COURT

OF MARYLAND*

No. 823

September Term, 2025

IN RE: M.B.

Graeff,
Tang,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Graeff, J.

Filed: February 13, 2026

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In this appeal, V.B. ("Mother") challenges the judgment of the Circuit Court for Baltimore City terminating her parental rights to her four-year-old daughter, M.B.[1] She presents the following three questions for this Court's review:

1. Did the court abandon its neutrality and appearance of fairness during the Termination of Parental Rights ("TPR") proceeding?

2. Did the court commit error by admitting evidence related to, and taking judicial notice of, the Child in Need of Assistance ("CINA")[2] case of a teenage sibling?

3. Did the court err in terminating Mother's parenting rights?

For the reasons set forth below, we shall affirm the judgments of the circuit court.

FACTUAL AND PROCEDURAL BACKGROUND

I.

Events Leading to Hearing

On July 23, 2021, Mother gave birth to M.B. At the time of the proceedings below, Mother had seven children, five of whom were still minors and not in Mother's care. Mother's 16-year-old child, T.B., was the subject of another CINA case after T.B.'s uncle physically assaulted T.B., and Mother refused to accompany her to the hospital. Mother had a history of physically assaulting T.B. and her other children.

[1] In the interest of privacy, we shall refer to the child, her family members, and her foster mother by their initials.

[2] A "CINA" is a child whom the court has determined requires court intervention because he or she has been abused or neglected, or has a developmental disability or mental disorder, and whose parents, guardian, or custodian either cannot or will not "give proper care and attention to the child and the child's needs." *In re J.J.*, 456 Md. 428, 432 n.1 (2017) (quoting Md. Ann. Code, Cts. & Jud. Proc. ("CJ") § 3-801(f)) (2025 Supp.)).

On June 29, 2022, when M.B. was 11 months old, Mother brought her to Johns Hopkins Hospital for an exam, stating that she and M.B. had been physically assaulted by a mail carrier. An initial physical exam of M.B. came back normal, but Mother requested that the hospital take X-rays. Mother left the hospital before M.B.'s X-ray results were complete. After reading the X-rays, the doctor found that M.B. "had multiple healing fractures." The hospital noted that the injuries were concerning for non-accidental trauma. The hospital staff reported the incident to the police and Baltimore City Department of Social Services (the "Department").

The hospital attempted to contact Mother to have her return M.B. for additional medical care, but Mother had provided a false name and date of birth for M.B. and an incorrect phone number. The Department assigned Maureen Azonobi to investigate M.B.'s case. Mother was difficult to find because "she was unavailable by phone," and she was not at her address when the Department traveled there on two occasions. When Ms. Azonobi finally did reach Mother by phone, Mother reported that she was in Tennessee. The Department then learned that there were open child protective services investigations in Washington, D.C., concerning Mother's other children.

On July 15, 2022, Mother brought M.B. back to the hospital. Mother was "extremely uncooperative and aggressive." She was screaming at the staff and interfered with medical personnel attempting to evaluate M.B. Hospital security became involved in the incident and discovered that Mother had two open warrants. Mother was arrested, and she was incarcerated for approximately two weeks before the charges were dismissed.

On the day that Mother was arrested, her adult daughter, S.B., arrived at the hospital to pick up M.B. Due to the family's history of using fake addresses, however, the Department informed S.B. that M.B. could not be placed in her care.[3] The Department contacted K.B., an unrelated foster parent, who agreed to foster M.B. while the Department sought to locate relatives who could care for M.B. On July 18, 2022, after the Department filed a CINA petition, the court issued a shelter care order granting the Department limited guardianship of M.B.

On January 15, 2023, the Department and Mother entered into a service agreement that listed various goals that Mother needed to accomplish to achieve reunification with M.B. The service agreement required Mother to complete parenting classes, obtain and maintain adequate housing, provide proof of employment, attend all supervised visits with M.B., and obtain mental health services.

Between February and May 2023, a Magistrate held a contested adjudication hearing. Two pediatric radiology experts testified, with conflicting opinions regarding M.B.'s two fractures. One expert testified that it was possible M.B.'s fractures were caused by non-accidental trauma, explaining that "a more certain conclusion would need to rely on information that he didn't have, especially whether [M.B.] was ambulatory yet or not." Another expert testified "unequivocally that the two confirmed fractures were typical of the kind of accidental trauma experienced by infants and toddlers just learning to walk."

[3] The Department later ruled out S.B. as a resource because she utilized Mother as a care provider for her own children and would use Mother to provide daycare to M.B.

The Magistrate stated that it could "not sustain facts that [Mother] intentionally or abusively caused [M.B.'s] fractures," but he found that Mother's "refusal to cooperate with medical providers and her extraordinarily suspicious, confrontational personality" put M.B.'s "safety and well-being at significant risk."[4] The Magistrate recommended an order of limited guardianship of M.B. and that she be placed in Shelter Care.

On July 10, 2023, the Magistrate held another hearing, which focused on where M.B. should be placed. The Magistrate noted that a Department social worker testified that she investigated S.B. as a foster care placement for M.B., but S.B. advised that she utilized Mother for daycare for S.B.'s own two young children, and if M.B. were placed with S.B., Mother would provide care to M.B. as well. Given that M.B. had been removed from Mother's care, and that Mother had a CINA history in Baltimore City and Washington, D.C., the Department concluded that S.B. would not be a suitable relative resource. The court found M.B. to be a CINA, and it ordered her to remain in the Department's care. The permanency plan for M.B., however, was reunification with Mother.

As of December 2023, Mother had not made any progress toward achieving the goals set forth in her service agreement. Accordingly, on December 14, 2023, the Department filed a petition for guardianship with the right to consent to adoption or long-term care short of adoption.

[4] The circuit court subsequently accepted the Magistrate's findings.

II.

The TPR Proceeding

A.

Father's Consent Agreement

On April 28, 2025, the circuit court held a three-day TPR hearing. M.B.'s father ("Father") requested that the court terminate his natural parental rights so that M.B. could be free for adoption. Father signed an agreement with the Department, consenting to the termination of his parental rights so that M.B. could be adopted by K.B., which Father acknowledged would permanently sever his legal right to a relationship with M.B. The Court accepted Father's consent to terminate his natural parental rights with respect to M.B.

B.

Testimony

1.

Dr. Zajdel and Dr. Ewell

The doctors who conducted evaluations of K.B. and Mother testified. Dr. Ruth Zajdel, who conducted a parental fitness and bonding evaluation of K.B., testified that K.B. was willing and capable of providing for M.B.'s emotional, social, moral, material, and educational needs now and in the foreseeable future. K.B. demonstrated an ability to engage with M.B. in a safe, nurturing, and age-appropriate manner during the bonding evaluation, and K.B. had a good understanding of M.B.'s interests, abilities, and personality. Dr. Zajdel concluded that M.B. had developed a secure bond with K.B.

Dr. Fontaine Ewell, who conducted a parental evaluation of Mother, testified that Mother was "strikingly paranoid." Dr. Ewell diagnosed Mother with an unspecified mood disorder, "as well as provisionally with paranoid personality disorder."[5] He testified that a parent with paranoid personality disorder could have difficulty effectively getting services for his or her children due to the disorder. Dr. Ewell also noted that Mother exhibited some antisocial traits, which meant that she did not conform to the norms, laws, and rules of society. Dr. Ewell testified that Mother had "a long history of problematic behaviors, including engaging in assaultive interchanges with others, being deceitful when interacting with medical personnel and others, and believing that others seek to harm her." Dr. Ewell concluded that Mother had "absolutely no acknowledged insight into any problematic behaviors."

2.

Mother

Mother testified that she was self-employed as a hair stylist and earned approximately $4,000 a month through this business. She had secured housing four weeks prior to the TPR hearing. Despite her income, Mother had not provided any financial assistance for M.B., stating that "nobody never asked [her] that."

Mother explained that M.B.'s case began when she noticed that M.B. was in pain. She took M.B. to Johns Hopkins Hospital, but it discharged M.B. before it read the X-ray

[5] Mother did not appear for her bonding evaluation.

results. The following morning, the hospital called Mother stating that M.B. needed to return to the hospital. Fearing that the hospital was going to remove M.B. from Mother's care, Mother decided to avoid the hospital, and she brought M.B. to a different urgent care facility instead. Mother testified that the urgent care said that M.B. did not need any additional care, so she was discharged. Mother then returned to Johns Hopkins, and the Department removed M.B. from Mother's care. Mother acknowledged that she had given fake names and aliases to people because she had an outstanding warrant and was concerned that she would be arrested.

Mother testified that she understood the service agreement, which focused on "[h]ousin[g], income, therapy, anger management, and parenting class[es]." She did not complete the parenting classes until a few days before the TPR proceeding, and she provided proof of her completion to the Department the day before it began.

Mother had been visiting with M.B. through virtual visits for approximately a year and a half to two years. She testified that she consistently attended these virtual visits, although she occasionally did not show up. During the visits, Mother read stories to M.B., showed her pictures and videos, sang, and engaged in educational activities.

During one of these visits, M.B. put a toy in her mouth in a way "as if somebody was oral sex." Mother said something to the social worker about this, and the social worker

"kind of brushed it off." At the time, M.B. was at K.B.'s home, and Mother testified that there was a male present. M.B. was one or two years old at the time of the incident.[6]

The court then questioned Mother regarding her living situation from the time M.B. was born through the beginning of the TPR proceedings. Mother testified that she lived with S.B., S.B.'s two children, and M.B. in Baltimore City and then moved to Baltimore County. She moved to an extended stay hotel four weeks before the TPR hearing began. Mother stated that she was the only person who watched M.B., but when the court asked Mother how M.B. was injured, Mother stated that she was not sure.

Throughout the hearing, Mother frequently interrupted from the trial table and used inappropriate language. At one point, she accused the Department's counsel of lying, stating: "He's a lying ass and you're a lying ass too . . . Bitch. I never told this lady that I watched kids for a living." The Deputy Sheriff asked Mother to leave, and Mother accused the Deputy Sheriff of putting his "private area in line" with Mother's face. The court made an observation for the record, stating that the deputy's genitals, at least from what the court could see, were not in Mother's face. The court stated that it had not seen anything in the deputy's movements throughout the room which were concerning.

[6] Ms. Green, a caseworker for the Department, testified that the Department addressed Mother's concerns about M.B.'s foster home by conducting "pop up visits" and discussing Mother's concerns with K.B. The Department found that no corrective actions were needed.

3.

K.B.

K.B. testified that she began fostering M.B. on July 15, 2022, the same day the Department removed M.B. from Mother's care. She and M.B. lived together in K.B.'s home by themselves. M.B. was "the love of [K.B.'s] life," and in the event that reunification with Mother was not possible, she wanted to adopt M.B. and provide her with a "forever home." She testified that the Department had designated K.B. as a long-term and adoptive resource for M.B.

K.B. had three adult daughters, as well as extended family, including siblings, nieces, and nephews, who regularly spent time with M.B. M.B. had attended a Head Start school, but she was enrolled in a "regular school" for pre-K for the following school year. K.B. took M.B. to her medical and dental appointments; Mother had not requested to attend any of those appointments. K.B. hosted birthday parties for M.B. Mother had not reached out to M.B. on any of her birthdays or on Christmas.

K.B. testified that Mother visited with M.B. once a week. The visits initially were in person at the Department, but they changed to virtual because Mother was verbally abusive at in-person visits. At one in-person visit on September 11, 2023, Mother became agitated after noticing that M.B. had a mosquito bite, and she asked K.B. to bring M.B. to the emergency room. K.B. refused, and Mother began to curse and yell, and she threatened to kill K.B.

On January 11, 2024, Mother had an in-person visit with M.B. At the conclusion of the visit, Mother held M.B. in her arms and refused to give M.B. back to Department staff or K.B. While holding M.B. in her arms, Mother acted in a verbally aggressive manner and began "posturing towards a Department employee." Mother then engaged in a verbal altercation with a security guard. Mother was "cursing and hollering and wanted to fight the security guards and saying that she would bust their head to the white meat." K.B. stated that Mother was holding M.B. on her hip during this incident, and M.B. appeared to be afraid. Mother became irate at approximately thirty percent of the virtual visits.

4.

Maureen Azonobi

Ms. Azonobi became involved in M.B.'s case after a report to Child Protective Services regarding child abuse. At the conclusion of the investigation, Ms. Azonobi made an indicated finding of child abuse.[7] Mother was uncooperative with the investigation, which impeded Ms. Azonobi's ability to meet M.B. or visit Mother's home. Mother's periods of incarceration further complicated Ms. Azonobi's investigation. Ms. Azonobi nevertheless made attempts to contact Mother while she was in jail so that Mother could participate in the investigation.

[7] Indicated child physical abuse means "there is credible evidence, which has not been satisfactorily refuted" of an act involving physical injury to a child victim by a parent, caregiver, authority figure, or household or family member of the alleged victim and there were "[c]ircumstances including the nature, extent, or cause of the alleged neglect indicating that the alleged victim's health or welfare was harmed or was at substantial risk of harm." Md. Code Regs. 07.02.07.12(A)(1) (2025).

5.

Zaaira Tucker

Ms. Tucker, a Social Work Supervisor with the Department, testified that she was the supervisor assigned to M.B.'s case. During Ms. Tucker's first encounter with Mother, in February 2024, Mother made verbal threats. She was agitated and spoke to Ms. Tucker in an aggressive tone. Ms. Tucker offered Mother weekly visits with M.B. At one visit, Mother became agitated and was having trouble regulating her emotions, and she became verbally aggressive toward Ms. Tucker and other staff. There also were issues with Mother handing M.B. over to leave the visit. At that point, they changed to virtual visits.

Kiybria Green handled virtual visits. Mother often would send threatening messages, she was verbally abusive, and she called and messaged often "to the point of it was almost harassment of Ms. Green." As a result, Ms. Tucker resumed supervising the virtual visits and observed Mother use threatening language towards K.B. while M.B. was present. Ms. Tucker described Mother's behavior during these visits as unpredictable, "where any small thing would trigger her and she would become, again, verbally aggressive toward [Ms. Tucker], the foster parent, in front of the child in the visit." Mother had made threats to many people involved in the case, but those threats were directed at adults and not M.B.

6.

Kiybria Green

Ms. Green reported that, during the visits, Mother initially would talk to M.B., read her books, and show her toys. Mother's behavior, however, was unpredictable. Sometimes she was appropriate, and other times "she would be inappropriate and would have to be redirected." The inappropriate remarks included saying that the Department was "working with the white man to take all black children." When Mother used inappropriate language, Ms. Green gave Mother a chance to correct herself. If she failed to do so, Ms. Green would end the visit. Ms. Green testified that she did not supervise visits for a period of two months because, as indicated, Mother threatened physical violence against her. At that point, Ms. Tucker began supervising the visits.

On August 7, 2024, Mother had a virtual visit with M.B. During this visit, Mother was talking to a person who was off camera. At one point, she stated to the unknown person in the background: "I wish I still knew that hitman to get my baby father gone. That motherfucker playing with the wrong bitch." Upon hearing this, the caregiver left the call, and Mother stated: "this ugly bitch going end my visit, fuck you bitch."

Ms. Green oversaw Mother's service agreement. Mother did not provide documentation of her employment, completion of parenting classes, or anger management classes until April 27, 2025, the day before the TPR hearing began. Mother also informed Ms. Green on April 27, 2025, that she was enrolled in mental health treatment, but she provided no documentation to support that she was actually attending.

Ms. Green requested Mother's address multiple times so that the Department could set up a home health inspection. Mother, however, would tell Ms. Green that she was still working to obtain housing. On April 27, 2025, the day before the hearing began, Mother sent Ms. Green receipts for the hotel where she was living. The first receipt was from April 7, 2025. Ms. Green did not consider the hotel to be stable housing because, at any time, Mother could be asked to leave. This was particularly concerning given Mother's history of aggressive and hostile behavior.

Mother reported that she had been enrolled in therapy for three months, but she did not provide a signed release that would allow Ms. Green to discuss Mother's participation in therapy sessions. Initially, Mother informed Ms. Green that she was enrolled in mental health services, but she decided to stop attending because she did not feel that the therapist's beliefs and her own aligned. Ms. Green encouraged Mother to find a different provider and offered to provide referrals, but Mother stated that she felt that she did not need services. Ms. Green testified that Mother did not demonstrate insight into her mental health problems, and she would deny that anything was wrong with her, believing that problems were caused by "everyone else in the world." Mother had taken no accountability for any of her problems or issues.

During the time that Ms. Green had been M.B.'s caseworker, Mother had not provided any financial assistance for M.B., brought a gift for M.B., or asked to schedule a birthday visit with M.B. Ms. Green expressed concern that Mother could not parent M.B. in the long term because Mother had untreated mental health issues and unpredictable

behavior. In discussing M.B.'s needs, Ms. Green explained that, although M.B. was meeting milestones on paper, she needed additional services for her enunciation. Ms. Green explained that, due to the length of time that M.B. has been in K.B.'s care, and because there had been no progress towards reunification, the next step for the agency was to discuss a permanent placement option for M.B., which was adoption by K.B.[8]

C.

The Court's Ruling

On May 21, 2025, the court announced its ruling. It began by stating that it would consider the factors set forth in Md. Code Ann., Fam. Law ("FL") § 5-323 (Repl. Vol. 2019).

The court noted that M.B. was seen by medical personnel in June 2022, when she was 11 months old. M.B. had fractures to her wrist, ribs, and legs, that were in stages of healing, indicating that the injuries had occurred when M.B. was between nine and eleven months old. After reviewing X-rays, medical staff wanted to pursue further medical treatment for M.B., but Mother had left the hospital. The hospital attempted to reach Mother, but it was unsuccessful due to the incorrect address provided by Mother.

The court noted that the Magistrate could not conclude that Mother caused the injuries, but he did find that Mother's actions surrounding whatever caused the injuries

[8] The Department then rested its case. Mother called herself as her only witness. We discuss her testimony, *supra*.

constituted neglect. The court found that the record supported that M.B. was subject to medical neglect by Mother.

The court then considered the efforts the Department made to provide services to Mother, and it noted that the Department had offered services to Mother with respect to an older child approximately a year before M.B. came into care. There also was evidence that other children were in an out-of-home placement.

With respect to services in this case, the court stated that Mother's testimony made it clear that there was a service agreement. What "needed to be done, . . . was parenting, anger management, therapy, housing and income." The court found that, when M.B. came into care, Mother did not have stable and appropriate housing. Housing was not the highest priority initially because M.B. came into care because of medical neglect. With respect to addressing that issue, Mother testified that she obtained housing within 30 days of the date of the court hearing. With respect to income, Mother testified that she was self-employed as an entrepreneur who did hair, and she made approximately $4,000 a month. The court stated that it had "a hard time finding that amount to be credible."

With respect to addressing parenting and anger management, Mother waited until the week before the TPR proceeding started to register for an online parenting class and an online anger management class, both of which took approximately four hours to complete. Mother advised that she completed both classes on the same day, the Saturday before the TPR proceeding. She did not send an email notification of completion until the day before the hearing. The court stated that, assuming that Mother actually completed the classes, her

behavior in the courtroom suggested that "she had not yet been able to incorporate anything she learned in the online anger management class, in managing her behavior in the courtroom." The court noted that, when Mother became angry with something that happened in court, "she immediately turned to the case manager and called her a bitch in open court."

With respect to therapy, Mother advised that she began therapy three months earlier, but the worker did not have a release to verify that statement. Mother testified she had not been referred for any kind of therapy in the past, but that testimony was contradicted by statements that she made in the parental evaluation completed by Dr. Ewell. Moreover, the court stated that, given that at least six children had been removed from Mother's care prior to M.B. being removed, and the behaviors described by Dr. Ewell and observed by the court during the proceeding, it was hard to believe that Mother had not, at some point, been referred for some kind of therapeutic intervention or evaluation.

The court noted that Dr. Ewell's diagnostic impressions were that Mother had an unspecified mood disorder, and Mother's behavior in the courtroom supported that diagnosis. The court also noted the provisional diagnosis of paranoid personality disorder, which the court found was supported by Mother's testimony and her behavior in the courtroom.

The court concluded that Mother had not availed herself of the services that were offered and recommended to her, and she had "not availed herself of those services in a timely and appropriate fashion, specifically the completion of a parenting class, the

completion of an anger management program and therapy." The court stated that it was "not giving any weight at all to the recommendations that she have appropriate housing and have sufficient income."

With respect to Mother's efforts to adjust her circumstances to make it in the best interest of M.B. to be returned to Mother's home, the court found that Mother had maintained regular contact with M.B. It noted that, with the exception of short periods of time where Mother was incarcerated, Mother had engaged in weekly visitation with M.B. For most of the almost three years that M.B. had been in out-of-home placement, however, the weekly visitation was conducted remotely instead of in person because of Mother's disruptive behavior during the visits, including threats to case managers.

With respect to Mother's contact with M.B.'s caregiver, K.B. was clear that she was "not interested in any contact with [Mother], other than the supervised visits, which take place remotely." The court found that there was no evidence in the record that Mother was financially able to make any kind of contributions to the child's care and support.

With respect to the existence of a parental disability that would make Mother consistently unable to care for M.B.'s physical or psychological needs, the court stated that Mother's mental health diagnosis was a disability. Although parents with such a disability can care for their children with support, the court did not see that Mother had that support, and based on Mother's behavior, she would not be willing to accept support. The court stated that, although Mother's mood disorder and disordered personality features could be treated, it would take an extended period of time. It stated:

> We have already exceeded 18 months from the time that the child was placed in out-of-home placement, and there's nothing to suggest that [M]other is in anything but the very beginning stages of a therapeutic relationship. So I can't ascertain in an amount of time where [M]other would be able to bring about a lasting parental adjustment.
>
> It's also interesting to note that, I believe that this is child number seven. That from the record, the other children have all been in out-of-home placements and there doesn't seem as if any of them were successfully reunited with [M]other, and this is the baby and the oldest child is now an adult.
>
> So we've had quite some time where [M]other's had an opportunity to make a parental adjustment, and even if I were to only consider two years before this child came into care, this child's now in care for three years. There's no date on the horizon where it is likely that this child -- this [M]other would make a lasting parental adjustment so that [M.B.] could be returned to her care.

Addressing whether Mother had abused or neglected M.B., the court stated that there was evidence that Mother had subjected M.B. to medical neglect, noting that the injuries that M.B. sustained were in stages of healing when Mother took M.B. for medical care. The court further noted that, rather than go to a consistent healthcare provider, Mother went "from one place to another, and her account of what happened was either incomplete or not consistent with the injuries, as observed by healthcare professionals."

The court found that there was no evidence that M.B. or Mother tested positive for any illicit drugs at the time of birth, that Mother had subjected M.B. to chronic abuse, chronic and life-threatening neglect, sexual abuse or torture, or that Mother had been convicted of any of the disqualifying crimes.

With respect to M.B.'s emotional ties and feelings toward others, there was nothing in the record that suggested that M.B. had contact with any of her siblings in the time that she had been in care. The court found that the Department's decision not to pursue M.B.'s adult sibling as a resource was a reasonable decision based upon the facts and circumstances presented. Accordingly, the court found that there were no siblings with whom M.B. had emotional ties.

M.B. did have close ties with her current foster parent, K.B., and M.B. had adjusted well to her placement. The court addressed Mother's concern that M.B. put a toy in her mouth. It noted that children explore the world with their hands and with their mouths, and it was a huge leap to say that, because M.B. put a toy in her mouth, she must have been sexually abused. The court stated that it believed that the ongoing weekly relationship with Mother was not healthy for M.B. given Mother's responses to this event and others seen in the courtroom. It found that the likely impact of terminating the relationship with Mother would enhance M.B.'s well-being.

The court noted that there was evidence that M.B. was at risk for developmental delay or a clinical diagnosis in the future. It found that Mother, whose mood was unregulated and who had antisocial personality disorder, would not be able to help M.B. navigate her own feelings and emotions in the future and would not enhance M.B.'s well-being. The court found that the Department offered the services that were appropriate for Mother. The court ultimately found that Mother was not fit to have custody of M.B. It explained:

> [Mother] has not yet addressed her ongoing emotional needs and, as I indicated, those emotional needs will trigger negative behavior from [M.B.]. [M.B.] will learn negative ways in which to deal with people and that is detrimental to [M.B.].
>
> [M.B.] has been away from [M]other longer than she was with [M]other. She was with [M]other for 11 months and she's now been away from [M]other for more than two years. She was only 11 months when she came into care. She's now almost four.
>
> She appears to have a healthy attachment with the caregiver and with the other people in the caregiver's home and the caregiver's extended family. That appears to be [M.B.'s] home, and I believe that the emotional effect on [M.B.], if she were allowed to remain in that home, is positive.
>
> And with respect to [M]other's efforts to reclaim custody, assuming that we consider them as serious, they began 30 days prior to the TPR. Mother intensely desires to have [M.B.] in her care. That is clear to me, but that intense desire seems to be focused on [M]other's needs, [M]other's needs to have, as she says, "My baby," as opposed to the child's needs.
>
> And there does not appear to be stability and certainty for this child's future if she were to be returned to [M]other. She certainly can't be returned today. And there appears to be stability and certainty if she were to be able to remain with the current caregiver.
>
> I do believe that a continued relationship with [Mother] is detrimental to [M.B.'s] needs and therefore, I am convinced by clear and convincing evidence that it is in the best interest of M.B., . . . for me to terminate the natural parental rights of [Mother] and [Father].
>
> With respect to [Father], this is construed as voluntary. With respect to [Mother], this is construed as involuntary.

On June 18, 2025, Mother noted this timely appeal.

DISCUSSION

I.

Impartial Court

Mother contends that the circuit court erred by "inserting itself in the proceedings and abandoning its neutrality and appearance of fairness." She argues that, on multiple occasions, "the court itself extensively questioned several witnesses, stating that it was willing to go forward with the trial without [Mother] present, and making findings on an issue that [Mother] had with a deputy in the courtroom." Mother states that, for those reasons, this "Court should reverse the termination of parental rights judgment and remand the case for a new trial before another judge."

The Department and counsel for M.B. disagree. They contend that the court acted with fairness throughout the proceeding and as it was permitted to do, asked questions to clarify facts.

In Maryland a "strong presumption" exists that "judges are impartial participants in the legal process." *Harford Mem'l Hosp., Inc. v. Jones*, 264 Md. App. 520, 541 (quoting *Balt. Cotton Duck, LLC v. Ins. Comm'r of the State of Md.*, 259 Md. App. 376, 420 (2023)), *cert. denied*, 490 Md. 640 (2025). "Bald allegations and adverse rulings are not sufficient to overcome this presumption of impartiality." *Id.* at 541-42.

To preserve a claim of judicial bias, the party must raise the issue during the hearing, and the record must reflect the following four elements:

> (1) facts are set forth in reasonable detail sufficient to show the purported bias of the trial judge; (2) the facts in support of the

> claim must be made in the presence of opposing counsel and the judge who is the subject of the charges; (3) counsel must not be ambivalent in setting forth his or her position regarding the charges; and (4) the relief sought must be stated with particularity and clarity.

Mezu v. Mezu, 267 Md. App. 354, 391 (2025) (quoting *Balt. Cotton Duck, LLC v. Ins. Comm'r of the State of Md.*, 259 Md. App. 376, 401 (2023)).

Here, Mother did not raise these issues below. Accordingly, it is not preserved for review. *See* Md. Rule 8-131(a) (an appellate court generally will not decide an issue "unless it plainly appears by the record to have been raised in or decided by the trial court"); *Clarke v. Gibson*, 492 Md. 557, 578 (2025) ("[C]onsiderations of both fairness and judicial efficiency ordinarily require that all challenges that a party desires to make to a trial court's ruling, action, or conduct be presented in the first instance to the trial court.") (quoting *Hartman v. State*, 452 Md. 276, 299 (2017)).

Even if the issue was preserved, Mother's claim fails on the merits. With respect to the court's questioning of witnesses, Maryland Rule 5-614(b) permits a judge to question witnesses, and the court's questioning will be upheld on appeal where there is "a legitimate effort to sharpen issues and clarify difficult points for the [fact finder]." *Handy v. State*, 201 Md. App. 521, 550 (2011), *cert. denied*, 424 Md. 630 (2012). In a CINA case, "the court's role is necessarily more pro-active." *In re Najasha B.*, 409 Md. 20, 34 (2009). The court's questions here were to clarify testimony, and we perceive nothing about the court's questions suggesting bias or partiality.

Moreover, after reviewing the record here, we cannot conclude that the court did not treat Mother fairly. Mother's behavior during the TPR proceeding was disruptive; she repeatedly spoke out of turn. The court did not err or abuse its discretion in its handling of Mother's disruptions. There was no evidence to support a claim of impartiality.

II.

Judicial Notice

Mother contends that the court erred in taking judicial notice of the CINA case of T.B., M.B.'s older sibling. She asserts that "the CINA record of a sixteen-year-old child was not relevant to whether it was in four-year-old M.B.'s best interest to remain in a parental relationship with [Mother]."

Both the Department and M.B.'s counsel contend that the orders from T.B.'s case were relevant to whether Mother had the ability to care for M.B. They note that a parent's ability to care for one child is relevant to their ability to care for other children, and the orders from T.B.'s CINA case evidence a pattern of Mother failing to engage in reunification services, which was a pattern that could help predict Mother's future conduct in M.B.'s case.

A fact is appropriate for judicial notice if it is "not subject to reasonable dispute, in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." Md. Rule 5-201(b). In the context of TPR proceedings, "'[p]ublic records such as court documents' are some of the most common of the 'types of

information [that] can fall under the umbrella of judicial notice.'" *In re H.R.*, 238 Md. App. 374, 401-02 (2018) (quoting *Abrishamian v. Washington Med. Grp., P.C.*, 216 Md. App. 386, 413 (2014)), *cert. dismissed as improvidently granted*, 463 Md. 10 (2019). Indeed, although Mother's counsel objected below to the orders being admitted into evidence, she suggested that "perhaps the [c]ourt could take judicial notice" of the orders.

On appeal, Mother contends that the CINA records of T.B. were not related to whether she was unfit to parent M.B. To the extent that this is preserved for review, we disagree.

In determining a parent's fitness, "the court has 'a right—and indeed a duty—to look at the track record, the past, of [a parent] in order to predict what her future treatment of the child may be.'" *In re J.J.*, 231 Md. App. 304, 346 (2016) (quoting *In re Dustin T.*, 93 Md. App. 726, 735 (1992)), *aff'd*, 456 Md. 428 (2017), *cert. denied*, 586 U.S. 821 (2018). "That track record includes evidence that the parent has neglected the child's sibling." *Id.* The circuit court may appropriately view a pattern of inaction as "a predictor of future behavior, active or passive." *In re Z.F.*, 266 Md. App. 444, 496 (2025).

Evidence is relevant if it has "*any* tendency to make the existence of *any* fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence." Maryland Rule 5-401 (emphasis added). The orders in T.B.'s CINA case were relevant to Mother's track record of failing to utilize services offered by the Department. Although the circuit court noted that Mother did not participate in T.B.'s CINA hearing or have the opportunity to test the veracity of the statements offered

during the hearing, the court noted that Mother appeared to have "active[ly] disengage[d] from the child." Where the allegations included that Mother had neglected M.B., the circuit court did not abuse its discretion in taking judicial notice of the court orders from T.B.'s CINA case.

III.

Finding that Mother was Unfit

Mother contends that the court erred in finding that she was unfit to maintain a parental relationship with M.B. She argues that the court relied on Mother's past circumstances while overlooking her current situation. She further argues that, even if she was unfit as a parent, she and M.B. had a connection with each other, and the court could have continued the guardianship, rather than terminating her parental rights.

The Department, and M.B., contend that the court properly acted within its discretion, and in M.B.'s best interests, when it found Mother to be unfit and terminated her parental rights. Both the Department and M.B. argue that the court considered each of the requisite factors and concluded that it was in M.B.'s best interests to terminate Mother's parental rights. We agree.

A.

Standard of Review

We apply three interrelated standards of review to a court's determinations in a TPR proceeding. *In re R.S.*, 470 Md. 380, 397 (2020). The court's factual findings are reviewed for clear error. *Id.* Matters of law are reviewed de novo, without deference to the juvenile

court. *Id.* We review final conclusions for abuse of discretion when they are based on "'sound legal principles' and factual findings that are not clearly erroneous." *Id.* An abuse of discretion occurs "'where no reasonable person would take the view adopted by the [trial] court' or when the court acts 'without reference to any guiding rules or principles.'" *In re Adoption/Guardianship No. 3598*, 347 Md. 295, 312 (1997) (alteration in original) (quoting *North v. North*, 102 Md. App. 1, 13 (1994)).

B.

Analysis

Pursuant to FL § 5-323(b), the court may terminate a person's parental rights only after finding by clear and convincing evidence that "a parent is unfit to remain in a parental relationship with the child or that exceptional circumstances exist that would make a continuation of the parental relationship detrimental to the best interests of the child such that terminating the rights of the parent is in a child's best interests." FL § 5-323(d) provides:

> [I]n ruling on a petition for guardianship of a child, a juvenile court shall give primary consideration to the health and safety of the child and consideration to all other factors needed to determine whether terminating a parent's rights is in the child's best interests, including:
>
> (1)(i) all services offered to the parent before the child's placement, whether offered by a local department, another agency, or a professional;
>
> (ii) the extent, nature, and timeliness of services offered by a local department to facilitate reunion of the child and parent; and

(iii) the extent to which a local department and parent have fulfilled their obligations under a social services agreement, if any;

(2) the results of the parent's effort to adjust the parent's circumstances, condition, or conduct to make it in the child's best interests for the child to be returned to the parent's home, including:

(i) the extent to which the parent has maintained regular contact with:

1. the child;
2. the local department to which the child is committed; and
3. if feasible, the child's caregiver;

(ii) the parent's contribution to a reasonable part of the child's care and support, if the parent is financially able to do so;

(iii) the existence of a parental disability that makes the parent consistently unable to care for the child's immediate and ongoing physical or psychological needs for long periods of time; and

(iv) whether additional services would be likely to bring about a lasting parental adjustment so that the child could be returned to the parent within an ascertainable time not to exceed 18 months from the date of placement unless the juvenile court makes a specific finding that it is in the child's best interests to extend the time for a specified period;

(3) whether:

(i) the parent has abused or neglected the child or a minor and the seriousness of the abuse or neglect;

(ii) 1. A. on admission to a hospital for the child's delivery, the mother tested positive for a drug as evidenced by a positive toxicology test; or

B. upon the birth of the child, the child tested positive for a drug as evidenced by a positive toxicology test; and

2. the mother refused the level of drug treatment recommended by a qualified addictions specialist, as defined in § 5-1201 of this title, or by a physician or psychologist, as defined in the Health Occupations Article;

(iii) the parent subjected the child to:

1. chronic abuse;
2. chronic and life-threatening neglect;
3. sexual abuse; or
4. torture;

(iv) the parent has been convicted, in any state or any court of the United States, of:

1. a crime of violence against:

A. a minor offspring of the parent;
B. the child; or
C. another parent of the child; or

2. aiding or abetting, conspiring, or soliciting to commit a crime described in item 1 of this item; and

(v) the parent has involuntarily lost parental rights to a sibling of the child; and

(4)(i) the child's emotional ties with and feelings toward the child's parents, the child's siblings, and others who may affect the child's best interests significantly;

(ii) the child's adjustment to:

1. community;
2. home;
3. placement; and
4. school;

> (iii) the child's feelings about severance of the parent-child relationship; and
>
> (iv) the likely impact of terminating parental rights on the child's well-being.

Here, as set forth in the facts, *supra*, the court considered all the statutory factors. Mother does not contend otherwise. She argues, however, that the court focused on her past conduct and "mitigated" her current circumstances. We disagree.

The court's determination of whether a person is unfit involves an analysis of whether the parent "is, or within a reasonable time will be, able to care for the child in a way that does not endanger the child's welfare." *In re Adoption/Guardianship C.E.*, 464 Md. 26, 52 (2019) (quoting *In re Adoption/Guardianship Rashawn H.*, 402 Md. 477, 500 (2007)). In considering that issue, the court noted that Mother did not attend classes with respect to parenting and anger management, which were identified at the start of the case, until the "eve of trial." The court stated that Mother's behavior during the TPR proceeding "[did] not suggest to [the court] that [Mother] had yet incorporated anything she may have learned in the four-hour online anger management class." When Mother was angry with something that happened during the proceedings, "she immediately turned to the case manager and called her a bitch in open court."

Moreover, although Mother had regularly participated in weekly visitation with M.B., Mother had displayed concerning behavior during these visits. These behaviors included threatening case managers, as well as disruptive behavior at in-person visits that

resulted in her visits being virtual for most of the three years that M.B. has been in foster care.

The court found no evidence that Mother was financially able to make any kind of contributions to M.B.'s care and support. Although Mother said that she made an income in the amount of $4,000 a month, the court stated that it had a "hard time" finding that testimony to be credible.

The court considered Mother's mental health diagnosis as a disability. It stated that, although parents with a disability can care for their children with support, the court found that Mother did not have the required support, and she would not be "willing to accept support."

The court explained that, given Mother's history of paranoid interactions with healthcare professionals, Mother would not be "able to consistently care for [M.B.'s] immediate and ongoing physical and psychological needs." Mother's mood disorder, "which is not regulated, her antisocial personality traits and her just general distrust of anyone," would further complicate her ability to care for M.B. The court stated that it did not "see what additional services would bring about a lasting parental adjustment." It had been approximately three years since M.B. had entered care, but there was no evidence to suggest that Mother was at anything but the very beginning stages of a therapeutic relationship. Although Dr. Ewell testified that a mood disorder can be treated, such treatment takes "an extended period of time." Accordingly, the court held that it could not

"ascertain in an amount of time where [M]other would be able to bring about lasting parental adjustment."

To be sure, as Mother correctly notes, parental unfitness by itself does not "mandate a decision to terminate parental rights." *In re Adoption/Guardianship H.W.*, 460 Md. 201, 218 (2018). The decision to terminate parental rights, however, must revolve around the best interests of the child. *Id.* at 218-19.

Here, the court found that "the likely impact of terminating that relationship will enhance the child's well-being." It explained that Mother's unaddressed, ongoing emotional needs would "trigger negative behavior from [M.B.]," who would "learn negative ways in which to deal with people and that is detrimental to [M.B.]." Mother, with a mood disorder and antisocial personality disorder, "would not be able to help [M.B.] navigate her own feelings and emotions in the future, and would not enhance [M.B.'s] well being." After considering all the evidence and weighing each of the statutory factors, the court found by clear and convincing evidence that M.B.'s best interests were served by a termination of Mother's parental rights. The court did not err or abuse its discretion in that regard.

JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE CITY AFFIRMED. COSTS TO BE PAID BY APPELLANT.