Circuit Court for Baltimore County
Case No. C-03-JV-24-001106

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1521

September Term, 2025

IN RE: J. M.-R.

Wells, C.J.,
Zic,
Harrell, Glenn T., Jr.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Harrell, J.

Filed: March 20, 2026

*This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

In September 2025, the Circuit Court for Baltimore County, sitting as a juvenile court, granted a petition for guardianship (with the right to consent to adoption) of J. M.-R. ("J"), then four years old, filed by the Baltimore County Department of Social Services ("the Department"). J's mother, Y. R.-C. ("Mother")[1] appeals from that ruling. R. M.-D., J's father ("Father"), also objected to the petition, but is not a party to this appeal.

Mother presents two questions for our review:

1. Did the juvenile court err in failing to make findings about each of the required FL § 5-323([d]) factors?

2. Did the court err as a matter of law in concluding that [Mother] was unfit to continue in a parental relationship and that there were exceptional circumstances that made continuing the relationship detrimental to J?

For the reasons to be explained, we answer both questions in the negative and affirm the judgment of the juvenile court.

FACTS AND PROCEEDINGS[2]

J was born in August 2021. He lived in Baltimore County with Mother and his fourteen-year-old half-sister, E. Father was living in North Carolina at the time.

[1] There is some discrepancy in the record concerning the spelling of Mother's first name. In some places, it is spelled beginning with a "J," and in others it is spelled beginning with a "Y." Mother did not testify and therefore did not spell her name for the record. On the child's birth certificate, however, her name is spelled with a Y. Because Mother filled out most likely the form to obtain the birth certificate, we presume that is the correct spelling of her name.

[2] Because Father is not a party to this appeal, we shall focus on the facts as they relate to Mother.

On 17 March 2022, the Department received a report that E had "very poor school attendance and frequently missed school because she must take care of [J] when her mother is not home." It was reported also that "when [E] gets home from school, her mother leaves, sometimes coming back about 6-7AM, but often does not come home until about 12-1PM. When [Mother] does come home the next afternoon, she is described to be drunk." After receiving this report, the Department interviewed E at school. E reported that Mother was working "seven days a week from 6pm until 2am, and [E] is expected to care for [J] overnight every day[,]" causing often her to be too tired to attend school if J did not sleep through the night. E stated that, when they were living in Mexico prior to moving to the United States, Father had sexually abused her. During a later interview, E reported having seen Mother use cocaine.

The Department interviewed Mother. When Mother was told about E's disclosure of sexual abuse, she "called [E] a liar. Throughout her interview, [Mother] spoke negatively of [E] and minimized all concerns she was presented with." The Department established a safety plan with Mother, requiring her to refrain from retaliating against E for her disclosures, "utilize appropriate childcare while at work to ensure [E] could attend school," and submit to drug testing.

On 31 March 2022, the Department received a report from individuals at E's school that E arrived at school late that day. Mother had been out of the house all night, leaving E to care for J, and did not come home until after the time E needed to leave for school. E was brought to school by another individual after Mother returned home. Later that day,

Mother arrived at the school in a taxi with J and attempted to bring E home early. Mother left J in the taxi unsupervised for forty-five minutes while she was in the school building. Individuals at the school reported that Mother was intoxicated and smelled strongly of alcohol. The school contacted Mother's sister K. G.-A. ("Aunt K"), who was listed as the emergency contact, to pick up E. Aunt K "transported [E] to [Aunt K's] residence to keep her safe, as [E] reported being afraid to return home in fear her mother would hurt her[.]" Mother told a social worker that she did not know where E was and "that she did not care where [E] was and repeatedly called her a liar. [Mother] further advised that she does not care about [E] at all and continued to speak negatively about her[.]"

Due to this incident, the Department established a safety plan in which E and J would live with Aunt K while Mother completed a substance abuse evaluation and participated in any recommended treatment. On 4 May 2022, Aunt K indicated that she was no longer willing or able to care for the children. Mother had not responded to the Department's efforts to contact her. The next day, the Department filed a petition for J to be declared a Child in Need of Assistance ("CINA"),[3] with a request for shelter care. After an emergency shelter care hearing, J was sheltered and placed with S.T. and R.T., his foster parents. E went to live with her father in Missouri.

[3] A child in need of assistance is a "child who requires court intervention because: (1) The child has been abused, has been neglected, has a developmental disability, or has a mental disorder; and (2) The child's parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and the child's needs." Md. Code, Cts. & Jud. Proc. § 3-801(f).

In September 2022, the juvenile court sustained the allegations of the CINA petition, found that J was a CINA, and committed him to the Department's limited guardianship. The court ordered Mother to maintain weekly contact with the Department, submit to random drug testing, participate in parenting classes, submit to substance abuse and mental health evaluations, and participate in any recommended treatment.

Between August 2022 and January 2023, Mother attended only half of her scheduled visits with J. She missed visits when she was "sick, traveling, or at work." Mother became unemployed during this period and moved multiple times.

On 26 January 2023, the juvenile court held a permanency plan review hearing and maintained a plan of reunification with Mother. The court ordered Mother to "obtain safe and stable housing" and "provide proof of employment" in addition to the requirements established after the disposition hearing. Visitation was ordered to be supervised.

Between January and June 2023, Mother completed parenting classes. She was "engaged" with the Department, but remained unemployed. She attended only half of her scheduled visits with J. In July 2023, Mother completed her mental health evaluation, which did not result in raising any major concerns. On 11 July 2023, the juvenile court ordered that Mother's visitation remain supervised, but that it "may transition to unsupervised at the discretion of the Department."

Between June and December 2023, Mother attended eight of twelve scheduled supervised visits and six of nine unsupervised visits in the community. On 20 September 2023, the Department completed an assessment of Mother's home and found it to be

appropriate. Also in September 2023, Mother obtained regular employment. Mother's daughter, E, returned to her care. On 18 December 2023, the court ordered that Mother's visitation with J be unsupervised and that it "may transition to unsupervised in the family home at the discretion of the Department."

In February 2024, Mother completed successfully her substance abuse treatment, and J's visits transitioned to weekend overnights at Mother's house. Visits occurred every weekend from February to May 2024. At this point, the only barrier to reunification was appropriate childcare for J while Mother was at work.

In April 2024, a trial home visit was scheduled. When the Department contacted the daycare Mother indicated she would be using, however, the daycare informed the Department that there had been a miscommunication, and it did not have an opening for J. In June 2024, Mother secured daycare for J, and another trial home visit was planned, but was canceled because Mother was no longer living in the same apartment.

On 20 August 2024, the Department scheduled with Mother a Family Team Decision Meeting to determine what assistance was needed to resolve the remaining barriers to reunification. At the meeting, Mother announced that she no longer wanted to pursue reunification with J and asked that he be placed with her sister N. C.-R. ("Aunt N"). Mother stated that she, E, and E's newborn daughter were living with Aunt N but that Mother planned to move to North Carolina for a better job.[4]

[4] Mother did not move to North Carolina at any time during the pendency of the CINA case.

The Department determined that there were multiple undocumented adults living with Aunt N. The Department was unable to run background checks on those individuals. Because of this, the Department determined that J could not continue having overnight visits with Mother. Between May and September 2024, Mother completed eleven of sixteen weekend overnight visits and four of five unsupervised day visits.

In October 2024, Mother contacted the foster mother, S.T., to arrange a visit with J on a day when no visitation had been scheduled. When S.T. indicated that she was not comfortable with J participating in visits not scheduled through the Department, Mother "really got upset" and told S.T., "I can see why God didn't give you your own children and you are trying to take my children[.]" Because of this interaction, S.T. ceased communicating directly with Mother.

Also in October 2024, Dr. Dianna McFarlane completed attachment assessments regarding J's attachment to his foster parents and to Mother. The assessments consisted of interviews with the caregivers, completion of questionnaires, and observation sessions that allowed Dr. McFarlane to observe how J and the caregivers interact. Mother participated in both observation sessions, but did not show up for either of the scheduled virtual interviews and did not complete her questionnaire. J "appeared relaxed, happy, and easily/eagerly engaged" when around both the foster parents and Mother. Based on her observations, Dr. McFarlane concluded that J "is a well-adjusted child and has a secure attachment relationship with his foster parents[.]" Although J and Mother appeared to have a "positive relationship," Dr. McFarlane could not

> confidently state that the child identifies [Mother] as a primary attachment figure, as affection and closeness were most frequently initiated by [Mother], not the child. [J's] responses to [Mother] were warm and mostly reciprocated but inconsistent with that of a child/parent, but more resembled that of a child and familiar adult/family member.

On 12 November 2024, the juvenile court changed the permanency plan to a concurrent plan of reunification with Mother or adoption or guardianship by a relative or non-relative. The court ordered that Mother's visitation be unsupervised, with "no overnights." Around this same time, Mother stopped visiting J. In December 2024, Mother indicated that she was no longer going to communicate with the Department. In January 2025, the Department attempted to arrange virtual visits between Mother and J, but Mother did not respond, and no virtual visits occurred.

The Department attempted also to pursue placement with some of J's paternal relatives. On 7 February and 21 March 2025, J's stepmother and paternal grandmother came to Maryland for two-hour in-person visits with J. After those two visits, the Department had limited contact only with J's paternal relatives, who did not schedule any further in-person visits.

Mother next visited J on 25 March 2025, nearly six months after her last visit. Because of the length of time without contact between Mother and J, the visit was supervised. Two additional supervised visits were scheduled for April 1 and April 8; however, Mother failed to confirm the April 8 visit, and it was canceled. Mother expressed "concerns about different people supervising her visits, every visit" because of her immigration status. Mother was no longer caring for E or E's daughter at this time.

On 21 April 2025, the juvenile court changed the permanency plan to a concurrent plan of adoption or guardianship by a relative or non-relative. The court ordered that Mother's visitation be unsupervised "in the community ONLY and NO overnights."

Between 21 April and 17 July 2025, Mother attended three of thirteen scheduled visits with J, all of which were supervised. On 22 July 2025, Mother did not show up for a visit that she had confirmed she would attend. On 5 August 2025, Mother canceled a visit she had previously confirmed she would attend. Mother's last visit with J prior to the termination of parental rights ("TPR") hearing was on August 12. On 14 August 2025, the juvenile court ordered that Mother's visitation be supervised. Mother attempted to have an unsupervised visit with J on his birthday but was told it would not be allowed. She did not contact J on his birthday.

A TPR hearing was held on 15-16 September 2025. Mother was not present at the hearing but was represented by counsel. Father appeared remotely on the first day and part of the second day of the hearing, but did not testify. Two social workers, Juliana Davis and Gina Malphrus, as well as the foster mother, S.T., testified. Both Ms. Davis and S.T. testified that they assisted Mother in finding a daycare for J, including helping Mother to fill out paperwork.

Ms. Davis testified that, after Mother requested that Aunt N be considered as a placement option, she visited Aunt N's house, "met the individuals in the home and saw the bedrooms." Because several adults living with Aunt N were undocumented immigrants, however, she was unable to complete background checks on them. As of the date of trial,

Mother was living in another home with people who the Department could not run background checks on. Ms. Davis stated that she did not believe J would be very affected by severance of the parent-child relationship with Mother and Father because of his minimal contact with them and his strong bond with the foster parents. Ms. Davis expressed that, prior to the August 2024 Family Team Decision Meeting, Mother had been "super consistent. And I had so much . . . faith that she was going to get it together. I really pushed for this reunification multiple times and [it] just fell apart. And she just wasn't able to get it back together and just gave up on her relationship."

S.T. testified that J used to talk about Mother "when the visits were more consistent[,]" but since "last year sometime . . . [h]e does not bring [M]ama up unless I bring [M]ama up." Because of Mother's history of inconsistency in her visits with J, S.T. stated that she "stopped telling [J] about the visits until they actually happened . . . [for] protection of his emotional state." According to S.T., when J returns from visits with Mother, he appears happy and comments on Mother giving him candy, cookies, and soda. "So he's really just . . . wired off the sweets. So, you know, he's happy about that." S.T. testified that, on 22 July 2025, the visitation supervisor picked J up from her house and took him to the library for his visit with Mother. Mother did not show up for that visit. When J came back home, "he had a sad face and said, Mama didn't show up."

Ms. Malphrus testified as an expert in social work and child welfare. Ms. Malphrus opined that Mother's "inconsistent pattern of visitation" is concerning because it is "very confusing" for young children to not know when they are going to see a parent or why the

inconsistency is happening. This is shown in J's "sadness when a visit did not occur." Ms. Malphrus explained that children J's age are "looking for stability, they're looking for security, and when that inconsistency presents itself, it can be upsetting to the child. It can show them that they cannot count on that person in a care giving role." Ms. Malphrus believed further that, although J would not understand immediately his lack of permanency if custody and guardianship were granted in lieu of terminating the parents' parental rights, failure to grant TPR would have a negative impact because "they could come back when he's 12 when he would have an understanding." J views "his current family as his family. This is the home that he has known his entire life. He has no relationship with his birth father. And a limited relationship with [his] birth mother."

The juvenile court ruled from the bench. We will discuss in our analysis the court's findings under the relevant statutory factors. Ultimately, the court ruled that Mother and Father were unfit, that there were exceptional circumstances overcoming the presumption in favor of maintaining parental rights, and that it was in J's best interest for Mother's and Father's parental rights to be terminated.

The court entered a guardianship order to that effect on 17 September 2025. This timely appeal followed.

STANDARD OF REVIEW

We apply three interrelated standards of review regarding a juvenile court's determinations in a TPR proceeding. *In re K.H.*, 253 Md. App. 134, 156 (2021) (citing *In re Adoption/Guardianship of C.A. & D.A.*, 234 Md. App. 30, 45 (2017)). The court's

factual findings are reviewed for clear error. *Id.* Matters of law are reviewed 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[.]" *In re R.S.*, 470 Md. 380, 397 (2020) (quoting *In re Yve S.*, 373 Md. 551, 586 (2003)). 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 X.R.*, 254 Md. App. 608, 618 (2022) (alteration in original) (quoting *In re Adoption/Guardianship No. 3598*, 347 Md. 295, 312 (1997)).

"Legal conclusions of unfitness and exceptional circumstances are reviewed without deference." *In re Adoption/Guardianship of C.E.*, 464 Md. 26, 47 (2019). Our function, however, when reviewing the findings of the juvenile court, "is not to determine whether, on the evidence, we might have reached a different conclusion." *C.A. & D.A.*, 234 Md. App. at 46 (quoting *In re Adoption No. 09598*, 77 Md. App. 511, 518 (1989)). Instead, our function is to decide "whether there was sufficient evidence—by a clear and convincing standard—to support [the court's] determination that it would be in the best interest of [the child] to terminate the parental rights of [the parent]." *Id.* (alterations in original) (quoting *In re Adoption No. 09598*, 77 Md. App. at 518).

DISCUSSION

Two competing interests are in play in termination of parental rights cases. First, "parents have a fundamental right to raise their children and make decisions about their custody and care." *In re Adoption/Guardianship of H.W.*, 460 Md. 201, 215-16 (2018).

There is "a presumption of law and fact—that it is in the best interest of children to remain in the care and custody of their parents." *Id.* at 216 (quoting *In re Adoption/Guardianship of Rashawn H.*, 402 Md. 477, 495 (2007)). Second, the State has a strong interest in "protect[ing] children, who cannot protect themselves, from abuse and neglect." *Rashawn H.*, 402 Md. at 497. The "'transcendent' standard" that governs the balancing of those interests is the best interests of the children. *H.W.*, 460 Md. at 216.

Under Md. Code, Fam. Law ("FL") § 5-323(b), a court may terminate parental rights only after finding that a parent is unfit or that exceptional circumstances exist and that continuing the parental relationship is detrimental to a child's best interests:

> If, after consideration of factors as required in this section, a juvenile court finds 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, the juvenile court may grant guardianship of the child without consent otherwise required under this subtitle and over the child's objection.

FL § 5-323(d) sets out the non-exclusive list of factors governing that determination. These factors "serve both as the basis for a court's finding (1) whether there are exceptional circumstances that would make a continued parental relationship detrimental to the child's best interest, and (2) whether termination of parental rights is in the child's best interest." *In re Adoption of Ta'Niya C.*, 417 Md. 90, 116 (2010) (citing *Rashawn H.*, 402 Md. at 499); *Rashawn H.*, 402 Md. at 499 ("[The statutory] factors, though couched as considerations in determining whether termination is in the child's best interest, serve also as criteria for determining the kinds of exceptional circumstances that would suffice to

rebut the presumption favoring a continued parental relationship and justify termination of that relationship.").

The juvenile court's ultimate role in a TPR case is

> to give the most careful consideration to the relevant statutory factors, to make specific findings based on the evidence with respect to each of them, and, mindful of the presumption favoring a continuation of the parental relationship, determine expressly whether those findings suffice either to show an unfitness on the part of the parent to remain in a parental relationship with the child or to constitute an exceptional circumstance that would make a continuation of the parental relationship detrimental to the best interest of the child, and, if so, how.

Rashawn H., 402 Md. at 501.

The Juvenile Court's Findings Here

We begin by setting out the juvenile court's findings under the FL § 5-323(d) factors and its ultimate ruling.

(d)(1)

Subsection (d)(1) requires the juvenile court to consider:

> (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[.]

FL § 5-323(d)(1).

The juvenile court found that, prior to placement, "the Department entered or attempted to enter into a safety plan with the family" and referred Mother for a substance abuse evaluation and treatment. The court found also that the Department made reasonable

efforts to facilitate reunification, including offering visitation, providing referrals for services, conducting investigations, and offering transportation.

The court concluded that the Department fulfilled all of its obligations under the service plans. Mother did not comply initially with the safety plan, but made eventually "significant attempts" at compliance with service agreements. Unfortunately, "[a]ppropriate childcare was never accomplished[,]" "[h]ousing was inconsistent[,]" and "visitation actually became less consistent [while] communication became less frequent and more strained[.]" The juvenile court found that "[t]he inconsistent visitation was distressing to the child and detrimental to [the] child's welfare."

(d)(2)

Subsection (d)(2) requires the juvenile court to consider:

> 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[.]

FL § 5-323(d)(2).

The juvenile court found that, although Mother "was making progress at the beginning of the case," after she indicated that she was no longer interested in reunification in August 2024, "the visits and communication with the child have tapered off . . . and have become more inconsistent[,] though they were never totally consistent." The parents were not required to pay child support, and neither parent had a disability that would make them unable to care for J. The court found also that "there are no additional services that would likely bring an adjustment to the parent that hasn't already been attempted by the Department[,]" and "the time from the date of placement has greatly exceeded that of 18 months already."

(d)(3)

Subsection (d)(3) concerns certain aggravating factors, including abuse, neglect, drug exposure in utero, and involuntary loss of parental rights to a sibling of the child. FL § 5-323(d)(3). The juvenile court took judicial notice of the findings by the CINA court related to neglect and concluded that this factor weighed in favor of terminating parental rights.

(d)(4)

The fourth factor is addressed to the child's emotional bonds to their biological parents, his/her siblings, other significant persons in his/her life, adjustment to the

placement, his/her feelings about the severance of the parent-child relationship, and the likely impact of that severance on the child's best interests.

Because Mother challenges the court's findings related to this factor, we shall set out the findings verbatim:

> The [c]ourt finds that the child is happy when the child sees the child's mother . . . as the child has received treats such as soda and sweet things to eat.
>
> The [c]ourt finds that the child appears distressed when he knows the child's mother is supposed to have a visit and the mother fails to come. According to the attachment study and bonding study, the child thinks of the foster parents as parents and thinks of the child's mother as a relative.
>
> The [c]ourt finds the child has emotional ties with the extended family members of the child's foster family. He has no independent relationship with the child's older sister, has friends in the child's school, and has no relationship independently with the child's father.
>
> He has strong emotional ties with the foster parents. And the opinions in the studies that are attached as Exhibit 1 as well as the opinions that were give[n] to this [c]ourt by Ms. Malphrus have been given great weight to this [c]ourt.
>
> And the [c]ourt finds that the fourth factor weighs in favor of granting the petition.

The Court's Conclusions

In concluding that the Department had met its burden to show unfitness and exceptional circumstances that made continuation of the parent-child relationship detrimental to J's best interest, the court summarized its relevant findings:

> The [c]ourt here finds specifically the following: That the minor child has resided with the same foster parents since May 4, 2022 when he was removed from the home for an unwillingness to follow the safety plan.
>
> And the [c]ourt . . . finds that currently the child is healthy and safe in

the current placement. The Department made multiple efforts without changing . . . the permanency plan to attempt to reunify the parents with the child and that the child has been . . . in care, out of the home placement much greater than 18 months since removal.

* * *

The [c]ourt finds that mother has been inconsistent with visits and has told the Department she does not wish to reunify with the child and her inconsistent communication, visitation has had a detrimental impact on the child's wellbeing.

The [c]ourt so finds that the child has not been able to retain permanency and the [c]ourt finds it's been proven to this [c]ourt both [un]fitness of the parents.

And the [c]ourt finds exceptional circumstances. The [c]ourt accepts the opinion of the expert that the child cannot be reunified with either parent within 18 months or safely ready to their care and that the [c]ourt finds that the child's best interests to have the rights of the [parents] terminated to give the child permanency as the child's current placement is the one the child has lived in consistently since the child has been approximately 8 months old and the child is now four.

The [c]ourt finds that the facts before the [c]ourt have demonstrated that the parental unfitness and the exceptional circumstances – and, to be clear, the parental unfitness is what the [c]ourt would find in part is that father has failed to cooperate with the department and mother, at first, was very cooperative with the Department has indicated she no longer wishes to do so and that that exceptional circumstances exist. Meaning that neither parent are willing, again, to work with the Department.

* * *

[T]he [c]ourt finds that the child has been . . . in the care of the Department and committed to the Department[a]lmost double the time statutorily stated.

The [c]ourt so finds that for all of those reasons, a continued parental relationship has been proven to this [c]ourt by clear and convincing evidence to be detrimental to the best interests of the child. And the [c]ourt grants the petition.

Contentions of Error

Mother challenges the sufficiency of the juvenile court's findings as to the FL § 5-323(d) factors, as well as its conclusions related to unfitness and exceptional circumstances. Concerning the court's findings, she argues specifically that "[t]he court failed to consider J's extended family and the Department's failure to ensure he was placed with family[,]" and "[t]he court failed to consider J's feelings about the termination."

Analysis

We reject Mother's argument that the court erred in failing to make findings related to J's relationship with his extended relatives. First, there was minimal evidence of J's interactions with any extended relatives. He saw his stepmother and paternal grandmother for a total of four hours in February and March 2025. He lived with Aunt K for one month in April 2022, when he was eight months old. There was no evidence of any further contact between J and these individuals. As to the other extended family members mentioned in Mother's brief—E's daughter, Aunt N, and Aunt N's spouse and child—no evidence was presented that J met these individuals.

The court need not make findings about every person the child has ever had contact with or might have contact with in the future. FL § 5-323(d)(4)(i) only requires findings related to "the child's parents, the child's siblings, and others who may affect the child's best interests significantly[.]" Individuals the child knows barely are not likely to affect the child's best interests "significantly," and the court did not err in failing to mention them in its findings.

Mother argues next that the Department's failure to pursue adequately a family placement for J "merit[s] a finding that the Department did not meet its obligations to provide parents with services" under FL § 5-323(d)(1)(ii). The evidence suggests that placement with family, such as Aunt N or J's paternal relatives, was not considered until after the August 2024 meeting when Mother announced she was no longer pursuing reunification. Various court reports indicate that the reason for this was Mother's objection to family placements and insistence on reunification with herself. By August of 2024, J was bonded closely with the foster parents, making a change in his placement difficult, and, as discussed above, there was no evidence that J had a relationship with extended family members. Nonetheless, there was evidence that the Department pursued a placement with Aunt N (by visiting her house and interviewing the individuals living there) and J's paternal relatives (by arranging in-person visits). The court discussed numerous services offered by the Department to facilitate reunification. Its failure, however, to mention the Department's unsuccessful attempts at family placement does not constitute error, especially where those attempts occurred at a time when Mother was explicitly not pursuing reunification and where earlier suggestions for family placement were resisted by Mother because it would have made reunification more difficult.

Mother argues further that the court "failed to consider J's feelings about the termination." While it is accurate to say that the court did not make an explicit finding related to this factor, there was also no evidence indicating directly J's feelings about severance, or if that is a concept he was capable of understanding at four years old. The

court did find that J "thinks of the foster parents as parents and thinks of the child's mother as a relative[,]" and stated that it gave "great weight" to the attachment assessments and the expert opinion of Ms. Malphrus. Ms. Malphrus testified that Mother's record of inconsistent visitation and the lack of permanency was detrimental to J. She opined also that termination of parental rights would have a positive impact on J, though he would not understand the permanency change at his age. Also notable is S.T.'s testimony, which the court found to be credible, that J did not talk about Mother during the nearly six months when he had no contact with her. Thus, to the extent that the court overlooked making explicit findings related to this factor, the error was harmless because the only evidence relating to the factor indicated that J's feelings about severance would be neutral or positive. This factor could not outweigh the other factors, all of which the court found supported termination. *Cf. C.E.*, 464 Md. at 54-55 (holding that a child's attachment with a parent cannot outweigh "almost every other factor" being found against the parent).

Finally, Mother challenges the court's ultimate findings of unfitness and exceptional circumstances. The court based its determination that Mother was unfit on her indication that she no longer wished to pursue reunification and her unwillingness to work with the Department since August 2024. On appeal, Mother seeks to reframe her August 2024 statements as being a "brave and difficult decision" to "put the needs of her child first[.]" This reframing is belied, however, by Mother's actions subsequent to August 2024. From November 2024 to late March 2025, Mother failed to have any contact with J, even when the Department attempted to arrange virtual visits. In December 2024, Mother told Ms.

Davis she was not interested in communicating with her. When Mother started visiting J again in 2025, her visits were highly inconsistent. On at least one occasion, she failed to show up for a visit that she had confirmed previously, leaving J to wait for her before going back home sad and disappointed. The court did not err in finding Mother to be unfit to continue a parental relationship.

Concerning the juvenile court's exceptional circumstances finding, Mother argues that "there was no evidence of detriment—harm—to J from continuing the relationship with his mother." The juvenile court noted two facts that would make a continued parental relationship detrimental to J: Mother's inconsistent visitation, and his lack of permanency. There was evidence presented of the harm that could befall J by both of these circumstances. A court report, authored shortly after the July 2025 visit that Mother failed to show up for, stated:

> [J] is an intelligent 3-year-old, and he is starting to ask more questions and is becoming more aware of the adults in his life and their role. . . . The random nature of the visits often disrupts his daily routine and demonstrates an inconsistent parent in his life. This is not healthy in creating a secure attachment[.]

S.T. testified that, to protect "his emotional state," she had "stopped telling [J] about the visits until they actually happened." Ms. Malphrus testified that a lack of consistency in visitation is "very confusing" for young children and "can be upsetting to the child." Ms. Malphrus testified extensively about the harm caused by a lack of permanence. The Supreme Court of Maryland recognizes the harm caused by long periods of foster care and the importance of permanency in a child's life. *See, e.g.*, *In re Adoption of Jayden G.*, 433

Md. 50, 83 (2013) ("Long periods of foster care are harmful to the children and prevent them from reaching their full potential." (cleaned up)); *Rashawn H.*, 402 Md. at 501. When permanency cannot be accomplished through reunification with a parent, "the adoption of the child is viewed . . . as the next best thing." *Jayden G.*, 433 Md. at 84.

Maintaining indefinitely Mother's parental rights while she attempts to obtain stable housing and employment, secure appropriate childcare, and resume consistent visitation would place J's "status in a state of suspended animation until a future date that may never occur." *C.A. & D.A.*, 234 Md. App. at 56. The juvenile court did not abuse its broad discretion in ruling that maintaining Mother's parental rights would not serve J's best interests and in granting the TPR petition. *See In re Karl H.*, 394 Md. 402, 416 (2006) (explaining that, where there is a "conflict between the rights of the parents or legal guardian and those of the child, the child's best interest shall take precedence" (quoting COMAR 07.02.11.07A)).

JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE COUNTY, SITTING AS A JUVENILE COURT, AFFIRMED. COSTS TO BE PAID BY APPELLANT.