

Circuit Court for Baltimore City  
Case No.: T24046006

**CHILD ACCESS**

**UNREPORTED**

**IN THE APPELLATE COURT**

**OF MARYLAND**

No. 1790

September Term, 2025

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IN RE: Z.M.

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Tang,  
Albright,  
Sharer, J. Frederick,  
(Senior Judge, Specially Assigned),

JJ.

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Opinion by Albright, J.

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Filed: May 7, 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).

On September 23, 2025, after a three-day guardianship trial, the Circuit Court for Baltimore City, sitting as a juvenile court, granted a petition filed by the Department of Social Services (“the Department”) to terminate the parental rights of A.W. (“Father”) to his minor child, Z.M.<sup>1</sup>

On appeal, Father<sup>2</sup> presents three questions for our review,<sup>3</sup> which we have consolidated and restated in two questions:

1. Did the juvenile court err by admitting the Department’s 181 Narrative and the TPR Evaluation?
2. Did the juvenile court abuse its discretion in terminating Father’s parental rights?

We answer “no” to both questions and affirm.

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<sup>1</sup> Z.M.’s mother, L.M. (“Mother”) consented to the termination of her parental rights.

<sup>2</sup> Mother did not appeal.

<sup>3</sup> In his appellate brief, Father presents the following questions:

1. Did the juvenile court err in terminating the parental rights of the Father where the Department failed to prove, by clear and convincing evidence, that the Father was currently unfit or unable to parent Z.M., as required under Family Law § 5-323?
2. Did the juvenile court err in concluding that exceptional circumstances were present to warrant the termination of parental rights?
3. Did the juvenile court err by admitting the Department’s 181 report and the Court Medical psychological evaluation under the public records exception to the hearsay rule in violation of Maryland Rule 5-803(b)(8)?

## BACKGROUND

### *Z.M.’s Injuries & First CINA Petition*

On August 16, 2016, the Department filed a petition asking for continued shelter care of eight-week-old Z.M. and that he be declared a Child in Need of Assistance (“CINA”). The day before, Mother had taken eight-week-old Z.M. to Sinai Hospital after finding bruises on his body. Physical examination at the hospital revealed bruising on his leg, neck, and right shoulder, as well as a large bruise, an abrasion, and a partially healed scratch on his back. The doctors also noted “swelling of the right upper thigh” and “a deformity to his leg.” After diagnosing a right femur fracture “concerning for child abuse[,]” the doctors at Sinai Hospital transferred Z.M. to Johns Hopkins Hospital. Additional testing at Johns Hopkins Hospital showed Z.M. had subarachnoid hemorrhages, a skull fracture, an old jaw fracture, and an old intracranial injury. There were also concerns that Z.M. had an abdominal injury. The hospital’s patient service advocate contacted the Department to report possible maltreatment, and Richard Pitts, a caseworker with the Department, was assigned to investigate the report.

Neither Mother nor Father could provide an explanation as to how Z.M. was injured. Z.M. had been in Father’s care from August 10 to August 13, when he was returned to Mother. She did not notice any injuries until August 15. After learning that the Department intended to remove Z.M. from her and Father’s care, Mother called Ms. K., a therapeutic foster care provider who was already the guardian for Mother’s older

child, M.B.,<sup>4</sup> and asked her to take Z.M. The court authorized continued shelter care with Ms. K.; Z.M. required therapeutic foster care because he was in a body cast and needed round-the-clock medical care.

On October 11, 2016, the Department indicated Mother, Father, and Mother’s boyfriend for physical abuse of Z.M. A contested CINA hearing followed. On December 12, 2016, based on the parties’ stipulations of facts, the juvenile court found that Z.M. was taken to the hospital, where physical examination revealed injuries indicative of child abuse, as well as old injuries. The court noted that Father had regular unsupervised visitation with Z.M. prior to the discovery of these injuries. The court delayed the disposition hearing to January 2017 because “further investigation is needed.” On January 19, 2017, the court found Z.M. to be a CINA and committed him to the Department.

About a year later, the juvenile court rescinded the order of commitment and granted custody to Father under an order of protective supervision, all over the objection of the Department. In its order, the court stated that Father must be “more vigilant about the [Z.M.]’s health care, learning his needs and getting him to appointments.” The court noted that, “[w]hile there are aspects of [F]ather’s care that need improvement, [Z.M.]’s counsel argued for return as [F]ather has made some strides and appears to be genuinely [working] to be a good parent.” The order of protective supervision required Father to

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<sup>4</sup> In a guardianship trial for M.B. in November 2016, Mother and Mr. B. consented to the termination of their parental rights on the condition that Ms. K. adopt M.B.; the court granted the Department’s petition for guardianship of M.B., and Ms. K. adopted him.

stop smoking near Z.M. and attempt to stop smoking permanently, to allow the Department and Z.M.’s counsel to visit unannounced, to ensure Z.M.’s medical needs are met, to arrange daycare for Z.M., and to continue therapy.

***Court Closes First CINA Case***

About four months later, in May 2018, the court found that Father substantially complied with the protective supervision order, awarded Father custody of Z.M., and closed the CINA case.

Two months after Z.M. returned to Father’s custody, the Department moved to remove Z.M. from Father’s custody, alleging that Father had continued to smoke near Z.M., had failed to meet Z.M.’s medical needs, and had failed to be available for home visits. The motion for removal was denied.

Ms. K. contacted Father after he was awarded custody of Z.M. and, through Father, was able to continue to see Z.M., often taking him for a weekend and then for weeks at a time. Ms. K. took Z.M. to all of his medical, dental, and vision appointments during this time.

***Father’s Assault Charges & Second CINA Petition***

On February 5, 2020, Father, while intoxicated, hurt A.W. and Z.M. At this time, Z.M. was three years old and lived with his two half-siblings, of whom Father had custody, A.W. (then sixteen years old) and H.W. (then seven years old). The Department petitioned for shelter care for all three children and requested that each be found CINA. The court authorized continued shelter care of Z.M. and limited guardianship to the Department or Ms. K.

After the February incident, Z.M. was again placed with Ms. K. Ms. K. reported that Z.M. “no longer wanted to sleep in his room” and “needed the light on all the time [or] somebody in [the room with him].” He was later diagnosed with post-traumatic stress disorder. Z.M. resumed treatment at Kennedy Krieger Institute (“KKI”),<sup>5</sup> services that Father had terminated against medical advice while Z.M. was in Father’s custody.

In June 2020, Father was sentenced to five years of incarceration, with all but one year suspended, followed by five years of supervised probation, for charges arising from the February incident. As conditions of his probation, Father was required to attend parenting classes, complete drug and alcohol treatment, and comply with the Department’s guidelines.

On September 8, 2020, the court found Z.M., H.W., and A.W. to be CINA<sup>6</sup> and made the following findings:

2. [A.W.] and [H.W.] resided with their father. Although father has custody of [Z.M.], [Z.M.] resided primarily with his godmother, [Ms. K]. [Z.M.] visited with [his] father every other weekend.
3. The Respondents’ father drank alcohol on a daily basis and used excessive corporal punishment as a means of disciplining the Respondents.
4. On or about 2/5/2020, while intoxicated, father flipped [A.W.’s] bed over causing [A.W.] to hit the wall. Father and [A.W.] then engaged in an altercation during which father yelled at [A.W.] and attempted to hit [A.W.] as she tried to get away. He then choked [A.W.] as he dragged her up the stairs. [A.W.] was able to get away from father's grip. She ran down the stairs to the living room. A family friend was in the living room. She witnessed the incident between father and [A.W.]. Father also yelled at the family friend. The yelling woke [Z.M.] who had been sleeping. [Z.M.] started to cry.

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<sup>5</sup> Z.M. began attending KKI Rehabilitation Clinic for treatment of his 2016 traumatic brain injury.

<sup>6</sup> Father never regained custody of H.W. or A.W.

Father, upon hearing [Z.M.] cry, beat [Z.M.]. [H.W.] was in bed pretending to be asleep because he “was scared.”

...

7. The Respondents’ father pled guilty to 2 charges of second degree assault in connection to the incident on June 26, 2020.<sup>[7]</sup> He was placed on 5 years supervised probation. He is to participate in drug and alcohol counseling and parenting classes. He has another hearing scheduled for November 17, 2020.

...

9. When [A.W.’s and H.W.’s mother] tried to pick A.W. and H.W. up from their father’s home, [their mother] did not get out of the car. The Respondents’ father in turn did not allow A.W. and H.W. to leave the house. The Respondents’ father did not allow A.W. and H.W. to call their mother and threatened to shatter A.W.’s phone i[f] she did. On 2/5/2020, at [Johns Hopkins Hospital], [A.W.’s and H.W.’s mother] acknowledged father’[s] history and reported that she is “sad that this is happening again.”

...

13. In January of 2019 [A.W.] and [H.W.] were removed from father’s care after [the Department] received a report that father, while under the influence of alcohol, had physically abused [A.W.]. [A.W.] and [H.W.] were placed directly with their paternal grandmother under a shelter care order before being returned to their father’s care.<sup>8</sup>

Father was ordered to participate in parenting classes, mental health treatment, and substance abuse treatment. The permanency plan was reunification.

### ***Lack of Progress by Father & Visitation Issues***

By the end of 2020, Father had not made much progress toward reunification.

Father initially reported he had technical issues enrolling in the parenting classes, mental health treatment, and substance abuse treatment. Months later, in April 2021, he reported

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<sup>7</sup> To clarify, he pled guilty on June 26, 2020, regarding the incident that occurred on February 5, 2020.

<sup>8</sup> The record does not indicate where Z.M. was at this time or why this incident did not affect Father’s custody of him.

he had completed parenting classes and a mental health assessment but had not yet shown verification documentation to the Department. He claimed that he was no longer required to participate in substance abuse counseling. Father's home failed inspection, and he refused to sign a service agreement with the agency.

By May 2022, Father had provided documentation, verifying that he had completed parenting classes and was participating in mental health treatment. But he refused drug and alcohol counseling, and his home continued to fail the Department's safety assessment. The Department instructed Father to make repairs in the home and contact the Department upon completion, but he never did. Father did not respond to the Department's multiple communications following up on this.

Father's contact with Z.M. was inconsistent during this time. At first, the Department scheduled in-person visits for Father with Z.M. at its visitation center, but Father would often not attend the visits. As of May 2022, he had not visited Z.M. in three months but spoke with Z.M. by phone. Z.M. appeared to enjoy the visits initially, when Father would bring H.W., but Father lost custody of H.W. and stopped bringing him. After that, Z.M. did not want to participate in or attend the visits on a number of occasions, and during some visits, he urinated on himself or became visibly upset.

Father declined the Department's offers and attempts to schedule visits, indicating he instead would schedule the visits directly with Ms. K. The visitation remained inconsistent, and Z.M. continued to display trauma-related symptoms around his visits with Father, such as acting out, nightmares, enuresis, and encopresis.

### ***Change of Permanency Plan***

On February 9, 2024, the juvenile court changed Z.M.’s permanency plan from reunification to custody and guardianship or adoption by a nonrelative. The court did not grant Father’s request for unsupervised visitation, finding “a likelihood exists of further abuse of neglect by [Father] for the following reason(s): [p]hysical abuse of child and/ or sibling[,] [m]ental health needs of party(s)[, and] [p]robation supervision in a related matter.”<sup>9</sup>

The Department then filed a petition for guardianship of Z.M. on February 15, 2024, and requested the court order parental fitness evaluations and bonding studies. The court ordered these evaluations for Mother, Father, and Ms. K. The parents each timely objected to the guardianship petition, as did Z.M.

### ***Bonding & Parental Fitness Evaluations***

In October 2024, Dr. Michelle F. Estis, an expert in psychological evaluation of children and adults, parental fitness, and secure attachments,<sup>10</sup> evaluated Father’s and Ms. K.’s parental fitness and bonding with Z.M.<sup>11</sup> Upon learning that Father would be present for the bonding evaluations as he entered the courthouse, Z.M. defecated on himself.

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<sup>9</sup> The court granted Mother’s request for unsupervised visitation, based on the progress she had made in repairing her home and consistently meeting her medication and mental health needs.

<sup>10</sup> On September 3, 2025, at the guardianship trial, the juvenile court qualified Dr. Estis as an expert witness in those fields.

<sup>11</sup> Mother did not attend her scheduled bonding evaluation.

During the evaluation, Dr. Estis observed Ms. K. “interact[ing] with [Z.M.] in a safe, nurturing, and age-appropriate fashion” and noted Ms. K. “demonstrated a thorough understanding of [Z.M.’s] interests, abilities, and personality, as well as his strengths and limitations.” According to Dr. Estis, Z.M. considers Ms. K. a “safe base” and has developed a secure attachment bond with her. Ms. K.’s parental fitness evaluation revealed “that she is willing and able to continue to provide for [Z.M.’s] emotional, social, moral, material, and educational needs.”

The results of Father’s parental fitness evaluation were less positive. Dr. Estis detailed “significant concerns” that she detected in her assessment of Father. Z.M. did not appear to feel safe and secure while interacting with Father; he seemed nervous and uncomfortable.

### ***Guardianship Trial***

The three-day guardianship trial, which is the subject of this appeal, took place in September 2025. During the Department’s case, the following witnesses testified: Dr. Estis; Halima Pittman, the caseworker assigned to Z.M.’s half-brother, M.B.; Kima Jay-Armstrong, the supervisor to the Department caseworker in Z.M.’s first CINA investigation from 2016 to 2018; Ms. K.; Karen Jennings, the Department caseworker for Z.M. in 2022; Father; Shannon Parker, the Department’s custody, guardianship, and adoptions case manager assigned to Z.M. in 2024; and Chika Anige, the Department case manager for Z.M. from 2021 until 2024. Father and his mother (“Grandmother”) testified during his case. The juvenile court heard testimony from the witnesses as to the facts summarized above.

Father did not appear on the first day of trial. The babysitter Father got for his toddler was “having [a] mental health crisis[,] and he could not arrange other childcare.”<sup>12</sup>

The Department called Dr. Estis, and the court certified her as an expert witness in psychological evaluation of children and adults, parental fitness, and secure attachments. The Department moved into evidence Dr. Estis’s Termination of Parental Rights Evaluation (the “TPR Evaluation”), which outlined Dr. Estis’s expert opinions on the parental fitness of Father and of Ms. K. and the attachments (or lack thereof) between Ms. K. and Z.M. and between Father and Z.M. Father objected to the TPR Evaluation, stating “I do object to the parts [that] are hearsay and hearsay, double hearsay. There are some contents that are basically hearsay.” The TPR Evaluation was admitted into evidence in its entirety.

The Department then called Ms. Jay-Armstrong, a social worker at the Department who supervised Mr. Pitts when he had investigated the 2016 abuse of Z.M. Since then, Mr. Pitts had died. Ms. Jay-Armstrong was called to sponsor the admission of Mr. Pitts’s 181 Narrative,<sup>13</sup> which he had completed in conjunction with the investigation.

The 181 Narrative contained a summary of Mr. Pitts’s activities and contacts, including his interviews with Father, Mother, and Mother’s boyfriend, who were all

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<sup>12</sup> Mother also did not appear on the first day of trial. On the second day of trial, Mother withdrew her objection to the guardianship petition and consented to the termination of her parental rights, conditioned on Z.M. being adopted by Ms. K. Mother stated that she has “a strong relationship” with Ms. K. and believes that “it’s best for Z.M” for him to be with Ms. K.

<sup>13</sup> Ms. Jay-Armstrong testified that Family Assessment and Investigative Report (“181 Narrative”) outlines the Department’s investigation into possible abuse or neglect.

noted as alleged abusers of Z.M. The 181 Narrative also included details about conversations and meetings Mr. Pitts had with police detectives, homeless advocates, and medical professionals.

The Department moved the 181 Narrative into evidence, and Father objected:

First, there are double hearsays in the report. Secondly, Mr. Pitts is not here to authenticate the accuracy of this report. It appears that Ms. . . . [Jay-] Armstrong was from my understanding the reporter's supervisor at the time if I'm not mistaken, but that doesn't mean that she -- she made the report. So without the presence of the person who wrote the report who testifies to its accuracy, Your Honor, it should not be admitted as evidence.

After Mother objected, Father renewed his objection, and the following exchange occurred:

[FATHER'S COUNSEL]: . . . if Your Honor is inclined to believe that there are double hearsays, they should be redacted as you suggested. It's not about giving them weight. They should not be admitted at all.

. . .

THE COURT: I guess really I am going to overrule the objection. I do find that this is a business record being or public record being kept in the normal course as part of a statutory requirement. Ms. Jay-Armstrong testified that she reviewed Mr. Pitts's work as his supervisor at the time and as such I'm going to admit it.

I will take note, however, the court is in a position in which it can obviously excluded portions that clearly do not fall within the recognizable exception. Although as a business record or public record I'm not sure there's any need for that, so I'll admit it. All right. [Exhibit] 65<sup>[14]</sup> is in.

In her testimony, Ms. K. discussed Z.M.'s progress in her care. Z.M. was doing well in school and continuing to receive therapy and medication management at KKI. She

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<sup>14</sup> The Department's Exhibit 65 is the 181 Narrative.

also stated that when Z.M. left her care in 2018, he had been potty-trained, but at the time of trial, he was wearing diapers because he urinated on himself daily.

Ms. K. considered Z.M. an active part of her “very close-knit family,” which included three grown biological daughters and seven adopted children. Z.M. viewed Ms. K.’s children as his siblings and referred to Ms. K. as “mommy.”

Father testified that he had five children, three of whom had been removed from his care—including Z.M.—after the February 2020 assault. He stated that the children were removed from his care because of his guilty plea to the assault. At the time of the trial, only one child was in his custody.

He had not seen Z.M. in months; his last visit with Z.M. was in “February or April.” He last had a video call with Z.M. about two months prior to trial but he reported that he “call[ed] [Ms. K.] periodically to check on [Z.M.]” Father had not attended a medical appointment for Z.M. since 2021 but got updates on Z.M. from Ms. K. He was not certain of Z.M.’s diagnoses, stating that “[o]ne of them is depression . . . . I’m not familiar with the other one[,]” and he did not know if Z.M. was on medication or the frequency of his therapies.

Father’s plan for Z.M. was “reunification the right way because we have been apart for five years.” He believed the Department did not make “all of the efforts” it could to help him reunify with Z.M. He acknowledged that his home had failed the Department’s assessment but blamed the Department for not reinspecting his home, stating that he did not contact the Department to do so and had been told he would be contacted to schedule another assessment.

At the conclusion of the three-day trial, the court held the matter sub curia.

### ***The Juvenile Court Ruling***

On September 23, 2025, the juvenile court terminated Father’s parental rights to Z.M., concluding that “exceptional circumstances exist that would make a continuation of the parental relationship detrimental to the best interests of the child.”<sup>15</sup> The juvenile court set out its findings and conclusions in a twenty-one-page memorandum.

Father then followed with this timely appeal. Additional facts will be supplemented below, as needed.

## **DISCUSSION**

### **I. The juvenile court did not err by admitting the 181 Narrative and the TPR Evaluation.**

#### ***A. The 181 Narrative***

Father argues that the juvenile court erred by admitting the 181 Narrative. In its entirety, the section in Father’s brief dedicated to this argument states,

Maryland Rule 5-803(b)(8) does not permit admission of evaluative opinions or conclusions prepared for litigation. In this case, the author of the report, Mr. Pitts was deceased and was not available to testify to the reliability and trustworthiness of the document.

The Department counters that Father’s argument is meritless because it is unsupported by citation to the record. Specifically, argues the Department, Father’s brief on this point “does not identify the exhibit number or appendix page of the challenged exhibit[], nor does it indicate where in the record the court discussed the admissibility of [this]

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<sup>15</sup> The juvenile court also accepted Mother’s consent to terminate her parental rights to Z.M.

document.” The Department adds that the 181 Narrative was admissible as a public record under Md. Rule 5-803(b)(8).

We agree with the Department on both fronts. An appellate brief must contain reference “to the pages of the . . . appendix” supporting a party’s appellate assertions. Md. Rule 8-504(a)(4); *Klaunberg v. State*, 355 Md. 528, 552 (1999) (“[A]rguments not presented in a brief *or not presented with particularity* will not be considered on appeal.” (Emphasis added)). Here, Father fails to identify which exhibit the 181 Narrative was,<sup>16</sup> where in the record the State offered the 181 Narrative, what the sponsoring witness testified to about the Narrative, where Father objected and on what basis, and what the juvenile court ruled and why.

These deficiencies are not trivial. Ordinarily, we do not review unpreserved assertions of error in the trial court’s evidentiary rulings. Maryland Rule 5-103 provides, in pertinent part:

Error may not be predicated upon a ruling that admits or excludes evidence unless the party is prejudiced by the ruling, and

(1) *Objection*. In case the ruling is one admitting evidence, a timely objection or motion to strike appears of record, stating the specific ground of objection, if the specific ground was requested by the court or required by rule[.]

Md. Rule 5-103(a). Once “counsel provides the trial judge with specific grounds for an objection,” only those specific grounds can be brought for our review. *Anderson v. Litzenberg*, 115 Md. App. 549, 569 (1997). “All other grounds for the objection,

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<sup>16</sup> As noted above, we have discerned that the 181 Narrative was the Department’s Exhibit 65.

including those appearing for the first time in a party’s appellate brief, are deemed waived.” *Id.*; *see also Grandison v. State*, 341 Md. 175, 221 (1995) (“It is well established that appellate review of an evidentiary ruling, when a specific objection was made, is limited to the ground assigned at the time of the objection.”).

From what we can glean without citations to the record, it appears that Father has waived the objections he purports to raise here because when he objected to the 181 Narrative, it was on different grounds. Below, Father objected to the Narrative not on the basis that it contained “evaluative opinions or conclusions prepared for litigation” or because Mr. Pitts was unavailable to testify to the document’s reliability and trustworthiness, but rather because the Narrative contained “double hearsays” and because Mr. Pitts was not available to “authenticate” the accuracy of the 181 Narrative:

[FATHER’S COUNSEL]: . . . First, there are double hearsays in the report. Secondly, Mr. Pitts is not here to authenticate the accuracy of the report.

. . .

Ms. Armstrong was from my understanding the reporter’s supervisor at the time if I’m not mistaken, but that doesn’t mean that she – she made the report. So without the presence of the person who wrote the report who testifies to its accuracy, Your Honor, it should not be admitted as evidence.

Because Father did not raise his “opinions and conclusions” or his “reliability and trustworthiness” objections below, he cannot be heard to raise them now.

Even if we were to reach the merits of Father’s challenge to the 181 Narrative, we would discern no error or abuse of discretion in the juvenile court’s admission of this exhibit as a public record. The public records exception to hearsay, set out in Maryland

Rule 5-803(b)(8)(A),<sup>17</sup> allows “a memorandum, report, record, statement, or data compilation made by a public agency setting forth . . . matters observed pursuant to a duty imposed by law, as to which matters there was a duty to report” to be presumptively admissible, unless “the source of information or the method or circumstance of the

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<sup>17</sup> Rule 5-803 pertains to hearsay exceptions where the hearsay declarant need not be unavailable for the evidence to be admissible, stating in pertinent part:

The following are not excluded by the hearsay rule, even though the declarant is available as a witness:

...

(8) Public Records and Reports.

(A) Except as otherwise provided in this paragraph, a memorandum, report, record, statement, or data compilation made by a public agency setting forth

- (i) the activities of the agency;
- (ii) matters observed pursuant to a duty imposed by law, as to which matters there was a duty to report;
- (iii) in civil actions and when offered against the State in criminal actions, factual findings resulting from an investigation made pursuant to authority granted by law; or
- (iv) in a final protective order hearing conducted pursuant to Code, Family Law Article, § 4-506, factual findings reported to a court pursuant to Code, Family Law Article, § 4-505, provided that the parties have had a fair opportunity to review the report.

Committee note: If necessary, a continuance of a final protective order hearing may be granted in order to provide the parties a fair opportunity to review the report and to prepare for the hearing.

(B) A record offered pursuant to paragraph (A) may be excluded if the source of information or the method or circumstance of the preparation of the record indicate that the record or the information in the record lacks trustworthiness.

Md. Rule 5-803(b).

preparation of the record indicate that the record or the information lacks trustworthiness.” Md. Rule 5-803(b)(8)(A)–(B). We have said,

the burden rests upon the party opposing the introduction of a public record to demonstrate the existence of negative factors sufficient to overcome the presumption of reliability. Such “[i]ndicia of unreliability may be contained in the report itself, or may be disclosed by the evidence of the party offering the report.”

*In re H.R.*, 238 Md. App. at 406 (citing *Ellsworth v. Sherne Lingerie, Inc.*, 303 Md. 581, 612 (1985)).<sup>18</sup>

Here, because it was prepared “as part of a statutory requirement[,]” the 181 Narrative was presumed to be admissible under Rule 5-803(b)(8)(A). *See In re H.R.*, 238 Md. App. at 406. The Department is required to investigate, and provide a written report on its disposition of, allegations of child abuse and neglect. FL § 5-706(b).<sup>19</sup> provides that “[p]romptly after receiving a report of suspected abuse or neglect of a child . . . the local department . . . shall make a thorough investigation of a report of suspected abuse or

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<sup>18</sup> In *In re H.R.*, we reasoned that the “court reports” submitted in CINA proceedings were prepared by the Department “pursuant to the duty imposed by law,” and thus were “presumptively admissible . . . unless [H.R.’s father] could show that they were unreliable.” *Id.* at 406 (citing Md. Code Ann., Cts. & Jud. Proc. (“CJP”) § 3-826(a)(1)). Because H.R.’s father failed to show that the court reports were untrustworthy, apart from asserting that they were “self-serving position papers,” we concluded that the reports were admissible hearsay under the public records exception. *Id.* at 406–07.

<sup>19</sup> This statute was amended by 2026 Maryland Laws Ch. 171 (H.B. 640), with the current statute to be effective until Oct. 1, 2027.

neglect to protect the health, safety, and welfare of the child or children.”<sup>20</sup> Ms. Jay-Armstrong, supervisor to Mr. Pitts, the caseworker who prepared the 181 Narrative, testified to the Department’s legal obligation to investigate reports of abuse and memorialize its investigations in a report.

Mr. Pitts’s unavailability to testify about the 181 Narrative does not change this conclusion. The applicability of the public records hearsay exception, Rule 5-803(b)(8)(A), does not hinge on whether the declarant is (or is not) available. Md. Rule 5-803 (“The following are not excluded by the hearsay rule, even though the declarant is available as a witness.”). *See Ellsworth*, 303 Md. at 606 (“[J]ustification for the exception is the assumption that a public official will perform his duty properly and the unlikelihood that he will remember details independently of the record.” (cleaned up)). Below, Father pointed to nothing in the 181 Narrative, or in the Department’s other evidence, that suggested that the 181 Narrative was unreliable. In other words, Father identified nothing in the Narrative to suggest that Mr. Pitts was not performing his duty

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<sup>20</sup> Maryland’s Code of Regulations (“COMAR”) further spells out the Department’s obligations in this regard. The Code of Maryland Regulations (COMAR) 07.02.07.01(B) requires that DSS, through CPS, “promptly determine whether to investigate a report or to initiate a comprehensive family assessment, complete a timely investigation or family assessment appropriate to the circumstances, . . . [and] after conducting a family assessment, complete and distribute a written assessment addressing safety and risk.” Likewise, CPS, as an investigative arm of DSS, is responsible for “stop[ping] and prevent[ing] child abuse and neglect through investigation of child abuse and neglect [and performing] [c]omprehensive assessment of safety, risk, and service needs.” COMAR 07.02.07.01(A). Within five business days after completing an investigation, DSS must prepare a “written report of its disposition and any necessary services.” COMAR 07.02.07.13(C).

properly in investigating the allegations before him or in reporting on his investigation. Mr. Pitts’s unavailability does not mean his 181 Narrative was unreliable.<sup>21</sup>

**B. The TPR Evaluation**

Father also argues that the juvenile court erred by admitting the TPR Evaluation.

In its entirety, Father’s brief states,

Court Medical was a document that specifically prepared for litigation and therefore should not have been admitted. Furthermore, the court medical contained hearsay which did not fall under any exception.

The Department again counters that this argument is neither properly preserved nor presented for appellate review.

Regarding Father’s hearsay challenge, we again agree with the Department. The TPR Evaluation is a twenty-five page, single-space document. Below, Father did not object to the admission of all of it. Specifically, Father stated, “I do object to the parts are hearsay and hearsay, double hearsay. There are some contents that are basically hearsay.”

Father’s failure to alert us to those “parts” of the TPR Evaluation that he contends contain hearsay, and double hearsay, means that we cannot meaningfully review Father’s argument. An appellate brief must contain reference “to the pages of the . . . appendix” supporting a party’s appellate assertions. Md. Rule 8-504(a)(4); *Klauenberg*, 355 Md. at 552. From what we can tell, the TPR Evaluation contained numerous statements by

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<sup>21</sup> Father’s argument that the 181 Narrative was “prepared for litigation” fails, as well. Notwithstanding that Father did not make this argument below, we rejected such an argument in *In re H.R.*, 238 Md. App. at 406. These reports were not prepared “for litigation” but instead, as part of an investigation for a public agency that underscores its trustworthiness.

Father and others. To the extent that such statements were hearsay, many of them would undoubtedly have been admissible under a hearsay exception. For example, Father’s statements, to the extent that they were hearsay, would likely have been admissible as the statement of a party opponent. *See* Md. Rule 5-803(a). Other hearsay exceptions could apply, both as to Father’s hearsay statements and to the hearsay statements of others. And even if statements were not strictly admissible under a hearsay exception, it may well have been appropriate for Dr. Estis, who was qualified as an expert witness, to rely on such statements in forming her opinions. *See* Md. Rule 5-703(a). Father’s failure to specify which statements his appellate challenge targets leaves us only to speculate.

Father’s failure to brief his hearsay argument compounds the problem. An appellate brief must contain “[a]rgument in support of the party’s position on each issue.” Md. Rule 8-504(a)(4). Failure to comply with this requirement can result in dismissal or “other appropriate order.” Md. Rule 8-504(c). Even if Father’s objection was to the entire twenty-five-page TPR Evaluation, Father did not cite any legal support for his position. Accordingly, we will not review the juvenile court’s ruling admitting it.

## **II. The juvenile court did not err by terminating Father’s parental rights.**

### ***A. Father’s Arguments***

Father first argues that the juvenile court erred in finding that the Department made reasonable efforts to reunify Father with Z.M. Specifically, Father claims that the juvenile court found that the Department’s efforts were reasonable “despite acknowledging deficiencies in the Department’s provision of services.” Father then argues that the juvenile court erred in terminating parental rights because the Department

failed to prove, by clear and convincing evidence, that Father was unfit or unable to parent Z.M. and that exceptional circumstances were not present.

**B. Standards of Review**

Review of a juvenile court’s decision to terminate parental rights requires three distinct, yet interrelated standards. *In re Adoption of Ta’Niya C.*, 417 Md. 90, 100 (2010). We review the factual findings for clear error. *Id.* We review legal questions de novo. *Id.* (Thus, “[l]egal conclusions of unfitness and exceptional circumstances are reviewed without deference.” *In re Adoption/Guardianship of C.E.*, 464 Md. 26, 47 (2019).) And finally, we review the juvenile’s “ultimate conclusion” for abuse of discretion, as long as it is “founded upon sound legal principles and based upon factual findings that are not clearly erroneous[.]” *In re Ta’Niya C.*, 417 Md. at 90. We give the juvenile court’s best interest determination “great deference, unless it is arbitrary or clearly wrong.” *In re Adoption/Guardianship of C.A. & D.A.*, 234 Md. App. 30, 46 (2017). In other words, “we must first determine whether the court considered the statutory criteria; second, whether its factual determinations were clearly erroneous; third, whether the court applied the law; and finally, whether it abused its discretion in making its determination.” *In re B.C.*, 234 Md. App. 698, 708 (2017). In doing so,

our function is not to determine whether, on the evidence, we might have reached a different conclusion. Rather, it is to decide only whether there was sufficient evidence—by a clear and convincing standard—to support the chancellor’s determination that it would be in the best interest of the child to terminate the parental rights of the natural parent. In making this decision, we must assume the truth of all the evidence, and of all of the favorable inferences fairly deducible therefrom, tending to support the factual conclusion of the trial court.

*Id.* at 707–08 (cleaned up).

**C. Analysis**

1. The Department’s Reunification Efforts

The juvenile court must consider the reasonableness of the Department’s services offered to “reunify families and to make it possible for a child to safely return to the child’s home” before it makes a finding that termination of parental rights is in the child’s best interests. *In re Adoption/Guardianship of Rashawn H.*, 402 Md. 477, 499–500 (2007) (citing former FL § 5-525(d), now § 5-525(e)(1)) (cleaned up). To determine whether the Department’s services were reasonable, the juvenile court considers “the timeliness, nature, and extent of services offered by [the Department],” “the extent to which both [the Department and the parents] have fulfilled their obligations” under their service agreements, and “whether additional services would be likely to bring about a sufficient and lasting parental adjustment” for reunification. *Id.* at 500. “[W]e apply the clearly erroneous standard when reviewing the juvenile court’s factual finding that the Department made reasonable efforts to preserve and reunify the family.” *In re Shirley B.*, 419 Md. 1, 18 (2011).

We see no clear error in the juvenile court’s determination that the Department “made meaningful efforts to facilitate reunion of Father and Respondent.” The court found that the Department “made efforts to prevent or eliminate the need for removal of [Z.M.]” from Father’s home.

The court based this determination on its findings that the Department had offered substance abuse and alcohol abuse treatment, conducted home assessments, investigated

abuse and neglect allegations, and attempted to coordinate visitation and calls between Father and Z.M. The Department offered referrals to mental health services, including family therapy. The court found that Father, for his part, refused to coordinate visitation with the Department workers, was rude and untruthful during the bonding study, and “repeatedly engaged in a hostile manner” with the Department case workers. Father did not act on the Department’s referrals for anger management courses or mental health treatment, including family therapy. The Department contacted Father to discuss a service agreement, but he refused to sign any agreement.

In an attempt to overcome the juvenile court’s findings about the Department’s efforts, Father suggests that the juvenile court “acknowledg[ed] deficiencies in the Department’s provision of services.” But Father provides no “[r]eference . . . to the pages of the . . . appendix supporting” this assertion. *See* Md. Rule 8-504(b)(4). Because he fails to do so, we decline to address this contention. *See* Md. Rule 8-504(c) (noting that, in instances of non-compliance with Rule 8-504, the appellate court may “make any other appropriate order with respect to the case”).

But even if the juvenile court had found deficiencies in the Department’s provision of services to Father, the Department’s reunification efforts do not need to be perfect. *See In re Adoption/Guardianship of H.W.*, 460 Md. 201, 234 (2018). In fact, the Department is not required “to find employment for the parent, to find and pay for permanent and suitable housing for the family, to bring the parent out of poverty, or to cure or ameliorate any disability that prevents the parent from being able to care for the child.” *In re*

*Rashawn H.*, 402 Md. at 500. The law requires “reasonable efforts,” and here, the court found the Department’s efforts met that standard.

Father also argues that “the Department failed to tailor reunification services to Father’s actual circumstances or to meaningfully adjust services as Father demonstrated progress.” Father contends that he was “actively engaged, compliant with probation, participating in therapy, and successfully parenting a three-year-old child in his sole care without Department involvement.” He argues that the Department’s services failed to “meaningfully adjust” to this progress.

Again, we disagree. In reviewing the juvenile court’s factual findings, we do not reweigh the evidence or consider whether we might have reached a different conclusion. *See Thomas v. Cap. Med. Mgmt. Assocs., LLC*, 189 Md. App. 439, 453 (2009) (“[I]t is well established that the weight of the evidence is a question for the trial court, as the fact finder.”). The juvenile court had evidence before it that Father was working only part-time and had no plans to obtain full-time or additional employment, that Father’s home had failed inspection and he had yet to request reinspection or respond to the Department’s communications regarding inspection, and that Father had made no progress on addressing his lack of awareness of Z.M.’s physical and mental health or medical needs. The court was entitled to credit, and place more weight on, this evidence.

## 2. Sufficiency of Evidence

The juvenile court may terminate a parent’s rights over their objection if it “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.” FL § 5-323(b). “The exceptional circumstances alternative is meant to cover situations, such as this, in which a child’s transcendent best interests are not served by continuing a relationship with a parent who might not be clearly and convincingly unfit.” *In re Adoption of K’Amora K.*, 218 Md. App. 287, 310 (2014) (affirming the juvenile court’s finding that exceptional circumstances existed even where the mother was not necessarily unfit).

Before terminating a parent’s parental rights, the juvenile court must consider the factors set out in Section 5-323(d)<sup>22</sup> of Maryland’s Family Law Article, “giv[ing]

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<sup>22</sup> Those statutory factors are:

- (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

(continued)

(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

(continued)

primary consideration to the health and safety of the child[.]” FL § 5-323(d). Section 5-323(d) “is divided into four subparagraphs of factors that the court must use to assess both unfitness and exceptional circumstances.” *In re C.E.* 464 Md. at 50. Here, there is no dispute that the juvenile court spelled out its findings under each of the Section 5-323(d) factors.

***The Department’s Services  
(FL § 5-323(d)(1)(i)–(iii))***

The first set of factors in Section 5-323(d) concerns the services offered to the parent by the Department, as well as obligations fulfilled by the Department and the parents. As to FL § 5-323(d)(1)(i), the court found that Father was offered services for Z.M.’s first CINA case, at the conclusion of which Z.M. was placed with Father. The court also found that the Department “offered reasonable services” to Father in conjunction with Z.M.’s second CINA case. As to FL § 5-323(d)(1)(ii), the court found

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- (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.

FL § 5–323(d)(1)–(4).

that the Department “made meaningful efforts to facilitate the reunion of Father and [Z.M.]” and that Father “refused to coordinate visits with the assigned case workers[.]” The court found that Z.M. was primarily in the care of Ms. K. after Father was awarded custody, and that Father did not act on any of the Department’s referrals in the second CINA case. The court found that factors (d)(1)(i) and (ii) weighed in favor of termination, while (d)(1)(iii) held no weight because a service agreement was never signed.

The record supports the court’s findings. The evidence showed that the Department made efforts to provide medical insurance for Z.M. and to ensure that he was taken to his appointments. The Department offered substance and alcohol abuse referrals, which Father refused. Father also refused to sign a service agreement with the Department. The Department coordinated parenting courses and anger management classes. The Department made attempts to provide bus tickets to Father for visitation. The court noted that Father never signed an agreement, but the Department showed evidence that multiple agreements had been offered to Father.

Father argues that FL § 5-323(d)(1)(i) and (ii) weighed against termination. Specifically, Father contends that the evidence showed that he “benefited from services and demonstrated positive parenting behaviors, appropriate visitation, and continued commitment to reunification.” According to Father, the court “failed to take into consideration the progress that [F]ather made with regard to having gainful employment, proper housing, compliance with his probation and parenting a 3[-]year old child with state or court intervention.”

Father’s argument is inapposite. Neither § 5-323(d)(1)(i) nor FL § 5-323(d)(1)(ii) focuses on a parent’s progress on probation or progress generally. Instead, these factors focus on the propriety of the services toward reunification with a particular child: “all services offered to the parent before the child’s placement” and “the extent, nature, and timeliness of services offered by a local department to facilitate the reunion of the child and parent[.]” Here, the court found the services were appropriate and weighed in favor of termination.

Father’s next argument, as we understand it, is that the juvenile court erred in not concluding that FL § 5-323(d)(1)(iii) weighed against termination. Specifically, Father argues that the juvenile court “erroneously concluded that because the Father did not sign a service agreement that it mitigated the obligations of the Department as mandated by statute.”

Here, the juvenile court did not conclude that the absence of a service agreement mitigated the Department’s obligations, nor should it have. Where there is no service agreement in place between a parent and the Department, the juvenile court cannot make a factual finding under this factor. *See In re H.W.*, 460 Md. at 227 & 234 (affirming juvenile court in being “unable to make findings under subsection (d)(1)(iii) where there were no signed service agreements between a father and the Department). Here, the juvenile court found that “this factor is neutral in considering whether to terminate Father’s parental rights over [Z.M.]” We see no clear error in this finding.

*Father's Efforts to Adjust His Circumstances*  
*(FL § 5-323(d)(2)(i)–(iii))*

The second set of factors centers around “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[.]” FL § 5-323(d)(2). For FL § 5-323(d)(2)(i), the court found Father made “little effort to adjust his circumstances, condition, or conduct in order to make it in [Z.M.]’s best interest . . . to be returned to his care.” As to FL § 5-323(d)(2)(ii), court found that Father had not contributed to Z.M.’s care and support, because he has not provided significant financial assistance. The court recognized that Father had “limited financial resources to offer [Z.M.,]” but noted that Father showed no “intent on obtaining full-time employment or additional employment beyond part-time.” The court considered the bonding study and the expert testimony, finding that “Father demonstrated a lack of awareness of [Z.M.]’s emotional, social, and educational needs[.]” Finally, the court found that “[a]dditional services would not likely bring about a lasting adjustment because the services [the Department] has offered over the past five years have not resulted in any parental adjustment by Father that would allow [Z.M.] to be returned to his care.” Accordingly, the court determined these factors weighed in favor of termination.<sup>23</sup>

The record supports the court’s findings. The evidence showed Father had not consistently attended Z.M.’s medical appointments, despite the protective order

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<sup>23</sup> Father agrees with the circuit court’s determination that FL § 5-323(d)(2)(iii) is not applicable.

specifically directing him to do so. He did not know Z.M.’s case workers, medical providers, diagnoses, or the medicine Z.M. takes. Father was directed to stop smoking in the protective supervision order in 2018, but he showed up to the court-ordered bonding study smelling of marijuana in 2024. Father also did not regularly attend visitation and was often late to visits. He failed to provide financial assistance or support beyond “only occasional birthday gifts.” He was “hostile” and “agitated” with Dr. Estis during the bonding study. He was difficult for the Department and Ms. K. to contact, and had not taken the initiative to contact case workers or coordinate visitation.

In an attempt to overcome the juvenile court’s findings, Father argues that the court erred in weighing this group of factors in favor of termination. Returning again to his employment, housing, probation compliance, and parenting of his other child of whom he had full custody, Father contends that the court failed to consider this evidence.<sup>24</sup> Again, we disagree.

We will not reweigh the evidence on appeal. *See In re A.M.*, at \*10. *See also Terranova v. Board of Trustees of Fire & Police Employees Retirement Sys.*, 81 Md. App. 1, 13 (1989) (“The weighing of the evidence and the assessment of witness credibility is for the finder of fact, not the reviewing court.”), *cert. denied*, 319 Md. 484 (1990). As to Father’s employment, the court found that Father worked part-time as a lobby attendant since May 2024, and the court noted that he does not have adequate

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<sup>24</sup> Father argues that “[a]dditional services would benefit [F]ather as he had *substantially* complied with the service agreement.” This contention has no merit because, as both the court and Father acknowledged, there was no service agreement in place here.

means of transportation, had no intent to seek additional employment or hours, provided Z.M. “seldom gifts[,]” and relies heavily on his mother’s support. As to Father’s housing, the court did consider the fact that Father failed the Department’s inspection of his home and had not scheduled another inspection. That the court weighed the evidence in a manner other than what Father wanted does not mean the court failed to consider it.

Nor do we see any error in the juvenile court’s not weighing Father’s probation compliance or his parenting of another child in his favor. Plainly read, the Section 5-323(d)(2) factors focus on Father’s efforts as to Z.M., not another child or compliance with probation orders.

***Aggravating Circumstances***  
***(FL § 5-323(d)(3)(i)–(v))***

The third set of statutory factors looks to whether aggravating circumstances exist, including whether a parent has abused or neglected this child or other minors. FL § 5-323(d)(3). The court found that the applicable factors under this statute weighed in favor of termination. Specifically, the juvenile court found that Father “subjected [Z.M.] to abuse and life-threatening neglect.” It added that “[Z.M.] not only suffered from recent injuries – including subarachnoid hemorrhages and a skull fracture – but he also had pre-existing injuries such as a broken jaw, extensive bruising, and an intracranial injury. His jaw break and intracranial injury were weeks old.” (Omitting footnote).

Again, the record supports the court’s findings. The record showed that, in 2016, Z.M. had several injuries indicated for child abuse, including a fractured right femur, subarachnoid hemorrhages, a skull fracture, and a healing jaw fracture. These injuries

were sustained at multiple points over the eight weeks since his birth, during which time he was in his Father’s care, as well as the care of his mother and her boyfriend. Father denied being the cause of Z.M.’s injuries but was indicated by the Department for abuse, a finding that he did not appeal. Then, in 2020, Z.M. and his siblings were removed from Father’s care following Father’s violence towards Z.M. and his half-sibling.

In an attempt to overcome the juvenile court’s findings, Father argues (as we understand it) that these factors should have weighed against termination of his rights because “since [Father was indicated for abuse of Z.M., he] had Z.M. returned exclusively in his care for two years and had rehabilitated himself by caring for Z.M.’s sibling, complying with probation, having a proper home and gainful employment.”<sup>25</sup>

Again, we see no clear error in the juvenile court’s findings and conclusions. By its plain language, Section 5-323(d)(3) does not focus on a parent’s efforts to rehabilitate himself. Instead, Section 5-323(d)(3) focuses on whether a parent has abused or neglected the child and the extent of that abuse or neglect. FL § 5-323(d)(3)(i), (ii).<sup>26</sup> Whether Father rehabilitated himself is not part of this calculus.

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<sup>25</sup> Father quotes FL § 5-323(d)(3)(iv) (though he misidentifies it as FL § 5-323(d)(4)(iv)) but does not put forth any argument on this factor.

<sup>26</sup> Section 5-323(d)(3) also asks whether a mother tested positive for drugs on admission to a hospital to deliver her child, whether a parent was convicted of a crime of violence against the child or another family member, and whether the parent has involuntarily lost their rights to a sibling. FL § 5-323(d)(3)(ii), (iv), (v). Here, the juvenile court properly found that the “positive drug test” factor was inapplicable, that Father had not been convicted of a crime of violence (notwithstanding his second-degree assault of Z.M.’s older sister), and that Father’s parental rights had not been involuntarily terminated. Father does not challenge these findings.

*Z.M.’s Emotional Ties & Feelings*  
*(FL § 5-323(d)(4)(i)–(iv))*

The fourth and final set of factors pertains to the child’s emotional ties and feelings toward the child’s parents, siblings, and “other who may affect the child’s best interests significantly.” FL § 5-323(4)(i)–(iv). The court found these factors weighed in favor of termination, finding that Z.M. “has adjusted well to his community, home, and school at his placement[,]” has significant emotional ties with Ms. K., and “does not have significant emotional ties toward Father.”

The record supports these findings. The evidence showed Z.M. lived with Ms. K., whom he refers to as his mother, and his brother and Ms. K.’s other adopted children, whom he refers to as his siblings. On the other hand, Z.M. has not been in Father’s care since 2020. Z.M. also had refused to attend visits with Father and became upset when having to visit with Father, including having nightmares and encopresis before and after the visits. Expert testimony indicated Z.M. “did not seem safe and secure” around Father during the bonding study.

Father argues that Z.M.’s emotional ties to Father weighs “strongly against termination.” Father contends that “although the ties between [Father] and Z.M. had become strained because of Z.M.’s reluctance to attend visits at the sterile environment at the Department’s visitation center, he nonetheless that he had [sic] Z.M. had a loving Father/son relationship.” Father concludes, “Maryland law does not permit termination merely because a child has bonded with a caregiver when a meaningful parental bond remains intact.”

We decline to address Father’s argument regarding the circumstances under which Maryland law “permits” termination of parental rights. An appellate brief must contain “[a]rgument in support of the party’s position on each issue.” Md. Rule 8-504(a)(6). *See Anderson*, 115 Md. App. at 578 (declining to address the merits of an argument briefed without any legal authority because “[i]t is not our function to seek out the law in support of a party's appellate contentions”). Again, non-compliance may prompt “any other appropriate order” from this Court. Md. Rule 8-504(c). Unaccompanied by legal authority, Father’s bald statement about Maryland law on termination of parental rights does not satisfy Rule 8-504(a)(6).

To the extent that Father’s argument challenges the juvenile court’s factual findings under Section 5-323(d)(4), it, too, fails. We defer to the juvenile court's factual findings, unless clearly erroneous. *See In re Adoption of Jayden G.*, 433 Md. 50, 96 (2013). The juvenile court found that Z.M. “does not have significant emotional ties with Father.” That finding followed from the evidence that Z.M. did not want to see Father, became upset when attending visits with Father, had nightmares after visits with Father, all to the point where he soiled himself after seeing Father. On this evidence, we see no clear error in the juvenile court’s finding that Z.M. did not have a significant relationship with Father. Father’s appellate claim to the contrary does not persuade us otherwise.

#### ***Additional Argument***

Father also argues that the juvenile court improperly weighed “the length of time the child had been in care” in favor of termination. Citing *In Re Adoption/Guardianship of Alonza D.*, 412 Md. 442, 468 (2010), Father argues that “the passage of time and bond

with a foster caretaker alone did not constitute exceptional circumstances warranting the termination of parental rights.”

*Alonzo D.* is distinguishable. There, the juvenile court “focused primarily on the length of time [the children] had been in foster care and the apparent bond that had developed between [the foster parent] and the children, to support exceptional circumstances.” *Id.* at 468. Here, by contrast, the juvenile court’s “exceptional circumstances” conclusion hinged on well more than Z.M.’s relationship with Ms. K. and the length of time he had been with her:

Father has been afforded multiple opportunities over the course of [Z.M.]’s life to obtain services and resources to address the conditions that prevent reunification. He has not availed himself of these services and has consistently declined to cooperate with case workers. Father has not consistently visited with [Z.M.] while in placement, and he has not visited since February. He failed to appear for the initial date of the contested termination hearing and requested an early adjournment on the second day.

[Z.M.] has been in the continuous care of his foster provider since he was two months old, aside from a brief return to Father’s custody. The child is now well adjusted, thriving in the care of [Ms. K.], who has provided stability, consistency, and unwavering support. Reunification with Father would require substantial, sustained changes in Father’s circumstances—changes that, on this record, remain speculative and uncertain. In the meantime, [Z.M.] would remain in legal limbo without the permanency and stability that are essential for his development and well-being.

Because the juvenile court’s findings and conclusions were properly supported through clear and convincing evidence, we affirm.

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