

Circuit Court for Baltimore City  
Case No. 823354001J

UNREPORTED\*

IN THE APPELLATE COURT

OF MARYLAND

No. 2299

September Term, 2024

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IN RE L.C.

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Reed,  
Zic,  
Sharer, J. Frederick  
(Senior Judge, Specially Assigned),

JJ.

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Opinion by Zic, J.

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Filed: September 5, 2025

\* 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 Maryland Rule 1-104(a)(2)(B).

This case arises from an order (“Order”) issued by the Circuit Court for Baltimore City, sitting as a juvenile court, which found 18-year-old L.C. to be a child in need of assistance (“CINA”) and committed her to the custody of the Baltimore City Department of Social Services (“Department”). Appellant, L.C.’s father (“Father”), now appeals the Order.

### **QUESTIONS PRESENTED**

Father presents two questions for our review, which we have recast and rephrased as follows:<sup>1</sup>

1. Did the juvenile court err in finding L.C. to be a CINA?
2. Did the juvenile court err by not determining whether the Department made reasonable efforts toward reunification?

For the following reasons, we affirm.

### **BACKGROUND**

Father is the biological parent of L.C., who was born in 2006.<sup>2</sup> While it is unclear who had custody of L.C. in her early years, in 2019, she came into the legal custody of

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<sup>1</sup> Father phrased the questions as follows:

1. Did the [juvenile] court err as a matter of law in making a CINA determination in the absence of a finding that the first prong of the CINA definition had been proven?
2. Did the [juvenile] court err as a matter of law in declining to make a reasonable efforts finding, and did the Department fail to present evidence that it had in fact made reasonable efforts?

<sup>2</sup> L.C.’s biological mother did not appear at any of the underlying hearings and is not a party to this appeal.

Father. The following year, L.C. ran away from Father's home. Father later filed a missing person's report.

On December 19, 2023, L.C. appeared at a Baltimore City police station and asked for assistance. L.C. told police that since running away from home, she had been living “from home to home, cleaning homes in exchange for shelter[.]” She explained that Father was “so physically abusive to her and others” that no one in her immediate or extended family was willing to care for her because they were afraid of Father. Since running away, L.C. had not received any medical or dental care or schooling.

### ***The CINA Proceedings***

After unsuccessfully attempting to contact Father and L.C.'s mother, the police contacted the Department. The Department filed a CINA petition (“Petition”) with a request for shelter care on December 20, 2023. Following a shelter care hearing on the same day, the juvenile court awarded temporary custody of L.C. to the Department. The court found that reasonable efforts to prevent removal had not been made due to “the emergent nature of the situation[.]” namely, that Father was “abusive[.]” and that L.C. had been “essentially on her own since 2020[.]”

A second shelter care hearing was held on January 3, 2024, at which Father was present but in the process of obtaining representation. The court continued L.C.'s shelter care with the Department and adopted its prior finding regarding reasonable efforts.

The court held an adjudicatory hearing on January 10, 2024, at which Father was present and represented. The parties could not reach an agreement, so the court scheduled a contested adjudicatory hearing. The court continued L.C.'s shelter care with

the Department after finding that Father could not safely care for L.C., and that the Department had made reasonable efforts to prevent removal of L.C. from Father's home.

During the month of January 2024, the Department's assigned caseworker, Jocelyn Elzie, enrolled L.C. in an alternative school, where L.C. could take classes with the goal of entering high school in the fall of 2024; arranged for a special education meeting between L.C.'s former school and new school; took L.C. to a dentist, where she was found to have over a dozen cavities and be in need of a root canal; and arranged for kinship placement with Ms. D., the mother of L.C.'s younger brother, and with whom L.C. had a good relationship.

Additionally, after several attempts, Ms. Elzie successfully contacted Father. When she told Father that L.C. alleged he physically abused her, Father replied that he was "unaware of the allegations[,]” and felt that the allegations came from L.C.'s mother due to their ongoing custody battle for L.C.

The contested adjudication hearing for February 2024 was rescheduled to May 20, 2024, at Father's request. Father also asked for visitation with L.C., stating that he had had no contact with her since she was placed in shelter care. The Department and counsel for L.C. both proffered that L.C. stated that she did not want visitation with Father. The court agreed to revisit the issue at the next hearing in the event L.C. changed her mind.

At a status conference in March 2024, L.C.'s attorney advised that L.C. was willing to have visits with Father, and the court ordered liberal visitation. L.C.'s new caseworker, Torie Mendes, met with L.C. after the status conference and confirmed

L.C.'s willingness to have supervised visits with Father. Ms. Mendes then arranged a supervised visit for April 3, 2024, during which she noted that L.C. became quiet and reserved as soon as she saw Father, who led their conversation and told L.C. that she had a one-year-old sibling in Africa.

Ms. Mendes contacted Father about completing a service agreement on May 16, 2024. Father responded the following day that he would only participate in the creation of an agreement if his attorney was present, so Ms. Mendes told Father that she would send a draft agreement for him and his attorney to review. Ms. Mendes later learned that Father was in Africa, although Father did not provide his location when asked by Ms. Mendes.

On May 20, 2024, L.C.'s attorney requested a postponement of the contested adjudication hearing until May 29, which the magistrate granted over Father's objection. Following the rescheduled hearing, the magistrate issued a written recommendation and proposed order allowing the Department to have limited guardianship of L.C., and Father to have liberal visitation. The magistrate did not address reasonable efforts and scheduled a contested adjudicatory hearing for July 30, 2024. The juvenile court subsequently adopted the magistrate's recommendations and signed the proposed order.

Ms. Mendes contacted L.C. after the hearing concluded. L.C. said that while she was not ready for in-person visits with Father, she wanted to virtually meet her younger sibling. Ms. Mendes then contacted Father, who refused to allow L.C. to have virtual visits but stated she could come to Africa to meet her sibling. Father later denied that he refused virtual visits with L.C.

On June 3, 2024, Ms. Mendes mailed a service agreement to Father. The service agreement required Father to attend parenting classes, anger management, and individual therapy, as well as family therapy when appropriate. On July 18, Father told Ms. Mendes that he and his attorney would contact her to discuss his issues with the service agreement. Then, on July 30, by agreement of the parties, the previously scheduled adjudicatory hearing was rescheduled for September 24, 2024.

In early August 2024, Ms. Mendes again reached out to Father to discuss the service agreement she sent in June. Father told Ms. Mendes to speak to his attorney. Ms. Mendes then contacted the Department’s assigned attorney to coordinate a meeting with Father’s attorney. Ms. Mendes unsuccessfully attempted to contact Father again prior to the adjudicatory hearing in September.

The court held the adjudicatory hearing as rescheduled on September 24, 2024, during which L.C.’s counsel informed the court that L.C. was currently in a program at Sheppard and Enoch Pratt Hospital (“Sheppard Pratt”) to address a mental health issue.<sup>3</sup> Following the hearing, the court continued L.C.’s shelter care with the Department, adopted the parties’ factual stipulations by reference, and scheduled a disposition hearing for December 18, 2024.<sup>4</sup> The adjudicatory order did not specifically address reasonable efforts, and neither party filed exceptions.

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<sup>3</sup> L.C. participated in a two-week “intensive outpatient psychiatric hospitalization” and was discharged on October 8, 2024.

<sup>4</sup> Based on our review of the parties’ briefs, we understand the factual findings made in the adjudicatory order to be the same as the factual stipulations made by parties.

(continued)

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The adjudicatory order, which was signed by the juvenile court on October 4, 2024, made the following factual findings:

1. [L.C.], age 17, was in the legal custody of [Father] at the time of shelter. . . .
2. [L.C.] presented to the BCPD Eastern District station on December 19, 2023, seeking assistance. [L.C.] disclosed that she has been living from home to home, cleaning homes in exchange for shelter, since 2020. [L.C.] would characterize the relationship with [Father] as conflictual and that because of this [she] ran away from home. Father believes that [L.C.'s] mother interfered with the relationship between [Father and L.C.] [L.C.] states that while on runaway she did not receive any medical care in those years, and that she has had braces on her teeth with no dental appointments. At the time of shelter, [L.C.] had not attended school regularly because she was on runaway.
3. At the time of shelter, [the Department] and [the] BCPD [] attempted to contact [L.C.'s] parents at their last known addresses and phone numbers, to no avail. BCPD transported [L.C.] to [the Department]. Father was at work when the police and [DSS] contacted him. He later followed up with their phone calls.
4. [L.C.] was previously before the court under [a] CINA petition . . . [], filed on February 21, 2019, alleging physical abuse by paternal grandmother. Father was granted custody in Baltimore City Circuit Court[.] [L.C.] was sheltered on the date of filing, and at a holdover hearing on 2/25/19, [L.C.] was placed under a direct order to [F]ather. On September 10, 2019, the petition was dismissed.
5. Parents have a history of court involvement. On January 1, 2023, [L.C.'s] mother obtained a temporary protective order against [] [F]ather in Balt. City District Court . . . . In 2009, [L.C.'s] mother was granted a final protective order in Balt. City Circuit Court . . . .

A new caseworker, Latoria Murphy, was assigned to L.C. in early October 2024. Ms. Murphy met with L.C. three times before the December disposition hearing. Each time, L.C. told Ms. Murphy that she did not feel safe returning to Father's care, felt comfortable living with Ms. D., and wanted to work toward independence. Ms. Murphy had no contact with Father prior to the December hearing, although she unsuccessfully attempted to contact Father on two occasions.

At the disposition hearing on December 18, 2024, Ms. Murphy testified that the Department had contacted L.C.'s therapist to discuss visitation barriers, and that L.C.'s prior case workers had spoken to Father about signing a service agreement and reported that Father refused virtual visits with L.C. The Department entered into evidence a report from Sheppard Pratt regarding L.C.'s psychiatric admission. During his testimony, Father agreed that he had never signed the service agreement, stating that he had forgotten about it. Father also explained that the Department did not attempt to schedule additional virtual visits after telling Father it would.

Following witness testimony, the Department argued that it had made efforts toward reunification, but because Father had refused to sign the service agreement, there had not been family therapy or other efforts to repair the relationship between L.C. and Father. Both the Department and L.C.'s attorney argued that, because L.C. previously stated that she would run away if returned to Father's care, it was in L.C.'s best interest to be found a CINA. Father's attorney countered that L.C. could not be a CINA because there had been no finding of abuse or neglect, and Father was willing and able to parent L.C.



After closing arguments, the magistrate found L.C. to be a CINA and committed her to the Department’s custody. The magistrate recognized that L.C. has “some mental health issues[,]” but did not find the “issues of reasonable efforts [to be] particularly relevant[,]” although it acknowledged that “the Department [had] certainly done some things to qualify for a reasonable-efforts finding[.]” No exceptions were filed to the magistrate’s recommendations, and the juvenile court adopted the recommendations in an order (previously, “Order”) issued on January 9, 2025. Father timely appealed.<sup>5</sup> We supplement with additional facts below as necessary.

### **STANDARD OF REVIEW**

We apply a three-part standard when reviewing child custody cases:

When the appellate court scrutinizes factual findings, the clearly erroneous standard . . . applies. [Secondly,] if it appears that the [juvenile court] erred as to matters of law, further proceedings in the trial court will ordinarily be required unless the error is determined to be harmless. Finally, when the appellate court views the ultimate conclusion of the [juvenile court] founded upon sound legal principles and based upon factual findings that are not clearly erroneous, the [juvenile court’s] decision should be disturbed only if there has been a clear abuse of discretion.

*In re Cadence B.*, 417 Md. 146, 155 (2010) (quoting *In re Yve S.*, 373 Md. 551, 586 (2003)). An abuse of discretion occurs when a “ruling is clearly untenable, unfairly

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<sup>5</sup> We note that, on June 25, 2025, a virtual permanency plan review hearing was held before a magistrate, who issued a written recommendation and proposed order. The magistrate found that the Department had made reasonable efforts to support the prior permanency plan goal of reunification with Father, and recommended changing this to another planned permanent living arrangement. The juvenile court signed the magistrate’s proposed order on July 8, 2025. Neither party addresses the effect, if any, of this order on the present appeal.

depriving a litigant of a substantial right and denying a just result, when the ruling is violative of fact and logic, or when it constitutes an untenable judicial act that defies reason and works an injustice.” *Alexis v. State*, 437 Md. 457, 478 (2014) (internal quotation marks and citation omitted). “[A]n abuse of discretion should only be found in the extraordinary, exceptional, or most egregious case.” *Wilson v. John Crane, Inc.*, 385 Md. 185, 199 (2005).

## **DISCUSSION**

### **I. THE JUVENILE COURT DID NOT ERR IN FINDING L.C. TO BE A CINA.**

Father raises two arguments on appeal. He first argues that the juvenile court erred in finding L.C. to be a CINA because there was no evidence that L.C. had been abused or neglected, or that L.C. had a developmental disability or mental disorder. In response, the Department contends that the court’s CINA finding was supported by the magistrate’s recognition that L.C. had “mental health issues” and the report from Sheppard Pratt concerning L.C.’s psychiatric admission.

**A. Legal Framework And Procedure**

A CINA 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.

Maryland Code Ann., Cts. & Jud. Proc. (“CJP”) (1974, 2020 Repl. Vol., 2024 Supp.)

§ 3-801(f). “[B]oth prongs [must] be met before a child can be determined to be in need of assistance.” *In re T.K.*, 480 Md. 122, 134 (2022).

A CINA proceeding has two phases: (1) an adjudicatory hearing “to determine whether the allegations in the [CINA] petition, other than the allegation that the child requires the court’s intervention, are true[,]” and unless the CINA petition is dismissed, (2) a separate disposition hearing “to determine whether the child is [in need of assistance].” CJP §§ 3-801(c), 3-819(a)(1). At each hearing, the court “*shall* make a finding whether the local department [of social services] made reasonable efforts to prevent placement of the child into the local department’s custody.” CJP § 3-816.1(b)(1) (emphasis added). To make this finding, the court must “assess the efforts made since the last [finding] of reasonable efforts and may not rely on findings from prior hearings.” CJP § 3-816.1(b)(5).

Finally, at the dispositional phase, the court must determine “the nature of the court’s intervention to protect the child’s health, safety, and well-being.” CJP § 3-801(m). In doing so, the court shall either: (1) find that the child is not a CINA and

dismiss the case; or (2) find that the child is a CINA, and either not change the child’s custody status or commit the child to the custody of a parent, relative, another individual, the local department, or the Maryland Department of Health. CJP §§ 3-819(b)(1)(i)–(iii).

**B. Analysis**

Here, the magistrate expressly recognized that L.C. had “mental health issues” that necessitated “hospitaliz[ation]” and “ongoing therapy.” We agree that the magistrate’s statement about L.C.’s mental health issues was supported by the evidence presented; specifically, the admission report from Sheppard Pratt. Father argues, however, that this recognition was insufficient to amount to a mental disorder finding pursuant to CJP § 3-801(f)(1) because it was made while addressing why a CINA finding was in L.C.’s best interests.

We disagree. A “core purpose” of CINA proceedings is to protect the safety and mental health of any child under its jurisdiction. *In re M.Z.*, 490 Md. 140, 158 (2025); *see In re Najasha B.*, 409 Md. 20, 33 (2009) (“The broad policy of the CINA Subtitle is to ensure that juvenile courts (and local departments of social services) exercise authority to protect and advance a child’s best interests when court intervention is required.”) (citations omitted). We are thus unpersuaded by Father’s argument that the magistrate’s mental health finding was rendered inadequate simply because the finding was verbally couched in terms of the magistrate’s concern for L.C.’s best interests.

Father also asserts that the court never found that L.C.’s mental disorder met the “statutory requirements.” In support, Father cites to CJP § 3-816.1(b)(3), which requires a court, before finding a child with a mental illness to be a CINA, to determine whether

the local department made reasonable efforts to explore the child’s eligibility for placement under a voluntary placement agreement (“VPA”) pursuant to § 5-525(b)(1) of the Family Law (“FL”) Article of the Maryland Code (1984, 2019 Repl. Vol., 2024 Supp.). According to Father, the court’s failure to make a reasonable efforts determination on this issue is evidence that the court did not find L.C. to be a CINA due to mental illness.

For CINA purposes, a “mental disorder” is a “behavioral or emotional illness that results from a psychiatric or neurological disorder[,]” including “a mental illness that so substantially impairs the mental or emotional functioning of an individual as to make care or treatment necessary or advisable for the welfare of the individual[.]” CJP §§ 3-801(r)(1)–(2). Although the magistrate here used the phrase “mental health *issues*” and not “mental *disorder*[,]” as provided in CJP § 3-801(f)(1) (emphasis added), we disagree with Father that this slight difference in verbiage shows the court did not make a mental health finding. While juvenile courts are required to make specific findings in certain circumstances, they are “not required to recite the magic words of a legal test.” *In re D.M.*, 250 Md. App. 541, 563 (2021) (internal quotation marks and citation omitted); *see id.* (recognizing that the “mere incantation of the magic words of a legal test, as an adherence to form over substance, . . . is neither required nor desired if actual consideration of the necessary legal considerations are apparent in the record”) (internal quotation marks and citations omitted).

Father’s related argument that the court erred in not finding reasonable efforts to explore L.C.’s eligibility for placement under a VPA fails because a VPA was a legal

impossibility at the time of the disposition hearing. A VPA is an agreement involving a “minor child” or a former CINA. FL § 5-501(m)(1)(i); Md. Code Ann., Gen. Prov. (“GP”) (2014, 2019 Repl. Vol.) § 1-103(b) (defining “minor” as “an individual under the age of 18 years”). At the time of the disposition hearing, L.C. was 18 years of age and not a former CINA. Therefore, establishing a VPA was not an option here.

For these reasons, we conclude that the magistrate made a finding of mental disorder when it recognized that L.C. had “some mental issues” that necessitated “hospitaliz[ation]” and “ongoing therapy[,]” and that this finding was supported by the unobjected admission of L.C.’s mental health report.

## **II. THE JUVENILE COURT HARMLESSLY ERRED IN NOT MAKING A FINDING OF REASONABLE EFFORTS.**

### **A. Parties’ Contentions**

Father next argues that the juvenile court erred by failing to determine whether the Department made reasonable efforts to prevent placement of L.C. in the Department’s custody. Father contends that the juvenile court failed to determine whether the Department “made reasonable efforts to prevent placement of [L.C.] into the [Department’s] custody.” The Department concedes that the juvenile court did not make a finding of reasonable efforts but argues that this error does not require reversal because it was harmless. The Department reasons that although the court failed to make a finding of reasonable efforts, the outcome of placing L.C. in the Department’s custody was “the only path available to the court at the time of disposition to ensure L.C.’s safety and

well-being.” In any event, the Department argues, there is sufficient evidence in the record to have supported a finding of reasonable efforts.

## **B. Analysis**

At the outset, we reiterate that the purpose of the disposition phase of CINA proceedings is to determine “the nature of the court’s intervention to protect the child’s health, safety, and well-being.” CJP § 3-801(m). We also note that this Court does not reverse for harmless error. *In re T.A., Jr.*, 234 Md. App. 1, 13 (2017) (citing *In re Yve S.*, 373 Md. at 618). To warrant reversal, an error must prejudice the outcome of the case and “cause substantial injustice.” *In re Yve S.*, 373 Md. at 617 (citation omitted). We evaluate whether the juvenile court’s failure to make a reasonable efforts finding was, in fact, harmless, based on the totality of the circumstances and the purpose of the CINA statute. *Id.* at 617-18; GP § 1-201(a). In doing so, we “balance[] ‘the probability of prejudice . . . in relation to the circumstance of the particular case.’” *In re Yve S.*, 373 Md. at 617-18 (quoting *Maryland Deposit Ins. Fund Corp. v. Billman*, 321 Md. 3, 17 (1990)).

The court’s failure to make a reasonable efforts finding was error. CJP § 3-816.1(b)(1) (the court “*shall* make a finding” concerning “reasonable efforts to prevent placement of the child into the local department’s custody” (emphasis added)). This error, however, did not prejudice the outcome of the case or “cause substantial injustice.” *In re Yve S.*, 373 Md. at 617 (citation omitted). We discern nothing in the record indicating that this error either affected the outcome of the case or impacted the magistrate’s disposition recommendation.

Moreover, the magistrate acknowledged at the disposition hearing that “the Department [had] certainly done some things to qualify for a reasonable-efforts finding” (albeit wrongfully concluding that this finding was “not particularly relevant” and omitting a reasonable efforts finding in the recommendation eventually signed by the juvenile court). As discussed *supra*, the magistrate’s CINA recommendation was based on L.C.’s mental health. The magistrate explained that custody with the Department would ensure that L.C.’s kinship care with Ms. D—a placement the magistrate observed “[was] working well for [L.C.]”—would continue, as well as ensure that L.C. would continue therapy. The magistrate’s recommendation that L.C. be committed to the Department’s custody, therefore, fulfilled the purpose of the disposition phase of CINA proceedings: to determine “the nature of the court’s intervention *to protect the child’s health, safety, and well-being.*” CJP § 3-801(m) (emphasis added).

For these reasons, we conclude that the omission of a reasonable efforts finding in the magistrate’s recommendation (and ultimately, the Order) was harmless error.

### **CONCLUSION**

We hold that the juvenile court did not err in finding L.C. to be a CINA, and that the Order’s omission of a reasonable efforts finding was harmless error. Therefore, we affirm.

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