



The children were initially placed with an aunt, but the boy's behavioral problems proved too difficult for her and he was moved to the Baird Center in December 2013, and later to a Baird residential program known as Cabot House. He initially exhibited significant physical and verbal aggression, lacked basic self-hygiene, suffered from sleep disturbances, and continued to struggle with encopresis. The Baird assessment concluded that he had suffered significant and complex early child trauma, and required a highly structured living environment with clear and consistent expectations and regular therapy. He had shown significant improvement since his move to residential treatment, but regressed when there was a departure from his routine. By the time of the proceeding in this matter, he had progressed to the point where he would soon be ready to transition to a foster family, provided that they had no other children and could provide the same level of structure and consistency he was receiving at Baird.

The daughter stayed with her aunt for a period and then, after a brief stay in an emergency bed at Baird, transitioned to a foster home. In December 2013, she disclosed that she had been sexually abused by both her father and an uncle in separate incidents. The revelation led to criminal charges against father, who ultimately entered a no contest plea to a prohibited act. Mother doubted the girl's account of being improperly touched by father. Like her brother, the daughter suffered from neglect and developmental delays, as well as anxiety and trust issues. With regular therapy and an added level of structure and stability she had shown improvement, but she did not wish to resume visitation with either mother or father.

Based on the foregoing, the trial court found a substantial change of circumstance based on a stagnation in the parents' ability to care for the children. Despite working with DCF for a number of years, the parents were "largely in denial" as to their neglect and its effect on the children, had taken no steps to involve themselves in the children's treatment programs, failed to attend parenting classes, and continued to deny any sexual abuse of their daughter by father. Applying the best interests criteria, the court found that, although the parents love their children and had regularly attended visits with their son, the quality of their relationship with him was superficial, and with their daughter was strained and distant. They had not played a constructive role in the lives of the children, who were subject to abuse and neglect. And despite years of DCF services, the basic preconditions to reunification—remaining drug-free, mastering basic parenting skills, demonstrating minimal understanding of the children's significant problems and needs—remained, and the evidence showed that they could not resume parental responsibilities within a reasonable time. Accordingly, the court concluded that it was in the best interests of the children to terminate parental rights. Only mother has appealed the court's decision.

Mother's sole contention on appeal is that the family court's decision "lacks rationality" in light of its findings and the evidence regarding mother's role in the children's lives. Our review is limited. We do not "second-guess the family court or . . . reweigh the evidence, but rather . . . determine whether the court abused its discretion in terminating mother's parental rights." In re A.B., 174 Vt. 427, 429 (2002) (mem.). We will not disturb the family court's findings unless clearly erroneous, nor its conclusions if reasonably supported by the findings. In re H.A., 153 Vt. 504, 515 (1990).

Mother's claim is based on her assertion that the court's decision is inconsistent with its finding concerning the importance of "routine" in her son's life, as termination will end mother's weekly visits. She also contends that the decision is inconsistent with the court's purported finding that future contact with her daughter "may be therapeutically beneficial to the girl." The argument is unpersuasive. The routine which the court observed was necessary for the boy's progress involved living in a highly stable, structured setting with clear boundaries and expectations and consistent parental behavior. His weekly contact with the parents, which the

court characterized as superficial and “more akin to that of a playmate than parent,” did not factor into this requirement. Nor did the court find that future contact with mother would be therapeutically beneficial for her daughter. Although her therapist stated that the daughter remained unwavering in her wish not to have parental contact, she acknowledged that it was possible, with continuing therapy, that the daughter’s feelings may change. This does not support the argument that the court’s decision to terminate parental rights was somehow inconsistent with the evidence, or the children’s best interests. Accordingly, we find no basis to disturb the judgment.

Affirmed.

BY THE COURT:

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Paul L. Reiber, Chief Justice

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John A. Dooley, Associate Justice

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Beth Robinson, Associate Justice