

*Note: Decisions of a three-justice panel are not to be considered as precedent before any tribunal.*

ENTRY ORDER

VERMONT SUPREME COURT  
FILED IN CLERK'S OFFICE

SUPREME COURT DOCKET NO. 2009-197

OCT 8 2009

OCTOBER TERM, 2009

In re A.L.-D., Juvenile

} APPEALED FROM:  
}  
} Chittenden Family Court  
}  
} DOCKET NO. F244-6-08 CnJv

Trial Judge: Matthew I. Katz

In the above-entitled cause, the Clerk will enter:

Father appeals the Chittenden Family Court's order terminating his residual parental rights with respect to his daughter, A.L.-D. We affirm.

A.L.-D. was born in May 2002. Father was incarcerated at the time of the child's birth and frequently during the ensuing years before she was removed from her mother's care. In June 2008, the State filed a CHINS (child in need of care or supervision) petition based on the mother's drug addiction and inability to care for the child. The family court granted the petition, and the Department for Children and Families (DCF) sought termination of parental rights at the initial disposition proceeding. Following an April 2009 hearing, the family court terminated both the mother's and father's residual parental rights. Only father appeals from the family court's decision. The juvenile joins DCF's brief in support of the decision.

On appeal, father argues that some of the family court's findings regarding his minimal relationship with A.L.-D. are not supported by the record. The court found that father had been almost entirely absent from A.L.-D.'s life, that father had not made any effort to be a part of her life until recently, and that his recent efforts had not led to any significant bond between himself and the child. Notwithstanding father's challenges to certain aspects of two or three of the court's findings, the evidence overwhelmingly supports the court's conclusion that father had been essentially absent from his daughter's life due to his multiple incarcerations, and as a result there was no meaningful relationship between the two. Indeed, both father and his daughter acknowledged as much. In any event, father has not challenged the court's conclusion, which is supported by the evidence and the court's findings, that it is highly unlikely father would be able to assume parental responsibilities within a reasonable time, particularly given A.L.-D.'s extraordinary and immediate need for stability following her difficult childhood. See In re A.F., 160 Vt. 175, 178 (1993) (stating that conclusions of law will be upheld if supported by the court's findings, and that the court's termination decision may be upheld as long as there are

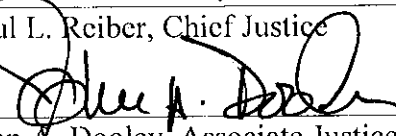
sufficient unchallenged findings to support the decision). In short, the record overwhelmingly supports the court's decision to terminate father's parental rights.

Affirmed.

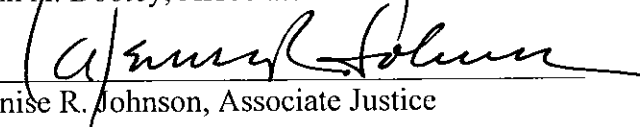
BY THE COURT:



Paul L. Reiber, Chief Justice



John A. Dooley, Associate Justice



Denise R. Johnson, Associate Justice