

health and behavioral needs. Additionally, father would sometimes fall asleep during visits with N.H., and there were times that his personal issues with service providers interfered with his visitation. As of August 2009, father's progress had slowed. He was not in therapy, he had not been evaluated for a possible sleep disorder, he was not taking certain medications as he had been in the past, and his mental health status was not stable. Father was also unemployed and had lost his housing due to a fight with his roommate. Although father was able to find new housing by the time of the final hearing, he had made no progress in moving to a location closer to N.H., and he was facing possible eviction for inability to pay his share of the rent. In October 2009, father was picked up for shoplifting. The family court found that by the end of 2009, father had made insufficient progress in attaining the kind of stability to provide the structure, safety, support, and consistency necessary to provide a proper home in which to build a secure and trusting relationship with N.H.

In contrast, N.H. was doing well and living in a safe and appropriate foster home with skilled foster parents. She had a routine that was helping to create a consistent sense of safety. Her medical needs were being met, and she was in therapy. N.H. had also transitioned well to a new school and certain behavioral issues were subsiding.

Turning to the statutory best-interests factors set forth in 33 V.S.A. § 5114, the trial court found that father sincerely loved N.H., and it acknowledged that he had made serious efforts to improve his life. At the same time, however, N.H. desperately needed stability and permanence. She had lived the first four years of her life with significant neglect, serious attachment issues, and little if any stability or consistency. While father had established a relationship with N.H., he was not in a position to provide the child with the emotional, physical, medical, and educational support that she needed. Although father could play a constructive role in N.H.'s life from the standpoint of personal contact and affection, he was not equipped to take on a full single parent role in her life within a reasonable period of time. For these and other reasons, the court concluded that termination of father's rights was in N.H.'s best interests. This appeal followed.

Father asserts that the court erred by failing to find that permanent severance of parent-child contact was in N.H.'s best interests. In other words, he argues that the court must explicitly decide if the child's need for adoption outweighs the benefits of continued parent-child contact. According to father, it is not clear what weight the court gave to each statutory factor.

These arguments are without merit. To determine the best interests of a child, the court must consider four statutory factors. 33 V.S.A. § 5114. The most important factor is the likelihood that the natural parent will be able to resume his or her parental duties within a reasonable period of time. See In re B.M., 165 Vt. 331, 336 (1996). As long as the court applied the proper standard, we will not disturb its findings on appeal unless they are clearly erroneous; we will affirm its conclusions if they are supported by the findings. In re G.S., 153 Vt. 651, 652 (1990) (mem.).

The statute does not require the court to find that a child's need for adoption outweighs the benefits of continued parent-child contact. See 33 V.S.A. § 5114 (setting forth statutory factors); In re D.B., M.B., & N.B., No. 2009-010, 2009 WL 2413620, at *3 (Vt. May 29, 2009) (unpub. mem.) (rejecting same argument), available at: <http://www.vermontjudiciary.org/d->

upeq/upeq.aspx; In re T.M. & E.S., No. 2008-225, 2008 WL 4542741, at *3-4 (Vt. Oct. 2, 2008), (unpub. mem.) (same), available at: <http://www.vermontjudiciary.org/d-upeq/upeq.aspx>. Instead, it sets forth four factors, all of which the court considered. Father does not challenge the court's conclusion as to the most important factor that he cannot parent N.H. within a reasonable period of time. As to the remaining factors, the court recognized that father loved N.H. and that he could play a constructive role in her life through personal contact. Nonetheless, these factors were outweighed by father's inability to meet N.H.'s needs within a reasonable period of time as measured from the child's perspective. It is evident that the court weighed the relevant factors in reaching its conclusion. Its decision is amply supported by its findings, which are in turn supported by the record, and we find no error.

Affirmed.

BY THE COURT:

Paul L. Reiber, Chief Justice

Denise R. Johnson, Associate Justice

Marilyn S. Skoglund, Associate Justice