



marginally adequate parenting skills for small children and minimal skill with children ten years and older. She had very little insight into children's developmental needs, and she lacked empathetic understanding. Dr. Nash concluded that due to mother's drug addiction and resistance to treatment for substance abuse and mental health issues, she could not adequately care for any child, let alone children with special needs like C.M. and S.M. Dr. Nash also opined that placing the children with mother would cause them considerable harm.

With respect to the children, the court found that C.M. was doing well in his foster placement. He was making progress in school and building relationships with his foster family. The court found that C.M. needed permanency in his life. He needed to live in a home where his educational and emotional needs were recognized and consistently met. His foster family was committed to continuing to meet his needs and to adopting him.

As to S.M., the court found that she had suffered significant trauma and she had been diagnosed with PTSD and Adjustment Disorder with mixed anxiety. When S.M. came into custody, she engaged in self-harming, excessive masturbation, dysregulated sleep, and eating inappropriate things. She would sometimes smear or eat her feces. These behaviors continued after S.M. came into foster care, and they worsened after visits with mother. S.M. would become so upset after visiting with mother that she would make herself vomit, pull her hair out, masturbate, throw tantrums, and smear her feces on objects. At the request of the children's attorney, the court suspended visitation with mother as of March 2011 following a contested hearing. Throughout this period, mother continued to abuse drugs. She did not keep in consistent contact with her caseworker nor did she inquire regularly about the well-being of the children.

The court found that while some of S.M.'s troubling behaviors had lessened, she still had many problems that affected her mental health. S.M. needed counseling and consistency of care, and she needed to be in a home where her challenging needs could be met. While S.M. was not currently in a pre-adoptive home, the court found that she needed specialized care to meet her ever-growing needs for consistency and stability in a loving home. Her permanency needs required her to be in a predictable and structured home with skilled caretakers. The court found that mother could not provide such a home environment to S.M. now or in the foreseeable future due to her unaddressed substance abuse, emotional instability, and mental health problems.

Based on these and numerous other findings, the court concluded that mother had stagnated in her ability to parent and that termination of her rights was in the children's best interests. This appeal followed.

Mother argues that the court erred by failing to make findings as to whether the children could or would be adopted in the foreseeable future. She asserts that "the nonexistence of pre-adoptive placements for the children has a bearing" on what a reasonable time would be for her to improve her parenting ability.

The court was not required to make the findings suggested by mother. See In re D.M., 162 Vt. 33, 40 (1994) ("Our law is clear . . . that a valid termination of parental rights does not depend on the availability of permanent foster care or adoption."). The question before the court was whether mother had stagnated in her ability to parent the children and whether termination of mother's rights was in the children's best interests. See, e.g., In re B.W., 162 Vt. 287, 291 (1994). To determine a child's best interests, the court must consider four statutory factors. See 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. In re B.M., 165 Vt. 331,

336 (1996); see also In re B.S., 166 Vt. 345, 353 (1997) (explaining that reasonableness of time period for resuming parental responsibilities “must be viewed from the perspective of the needs of the child”). 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. See In re G.S., 153 Vt. 651, 652 (1990) (mem.).

The court applied the appropriate standard here, and its decision is well supported by the record. As set forth above, the court found that the children needed placement in a predictable and structured home with skilled caretakers. Mother was in no position to provide such an environment for S.M., nor was she in a position to meet C.M.’s permanency needs now or in the reasonably foreseeable future. Indeed, we note that mother’s visitation with the children had been suspended prior to the termination hearing because of the trauma that it caused the children. Following this suspension, mother did not regularly inquire about the well-being of the children. At the time of the termination hearing, mother continued to abuse substances, and she was emotionally dysregulated. The evidence amply shows that mother lacked the stability necessary to parent the children. Certainly, the court was not obligated to continue waiting for mother to improve, as mother suggests, until the children’s placements were finalized. See In re D.M., 162 Vt. at 40 (rejecting mother’s argument that she should be given the chance to pursue reunification with the children until an alternative, permanent placement arose). There can be no question that a reasonable period of time had passed, from the children’s perspective, without any improvement in mother’s parenting skills, and the court did not err in concluding that termination of mother’s rights was in the children’s best interests. See id. (recognizing in case where placement goal was long-term foster care and eventual adoption, that child’s best interest required permanency and stability, and that this was possible only through severance of remaining legal bonds between child and her parents).

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