



mother would be able to care for her.” Mother interprets this statement as demonstrating that the sole reason for termination was L.Z.’s desire to be adopted and therefore it was error for the court to rely on stagnation as a basis for changed circumstances.

Mother’s argument oversimplifies the reasoning behind DCF’s change in caseplan goal. When explaining why L.Z. desired to be adopted and why reunification was not possible, the caseworker noted that mother continued to lack suitable housing and continued to lack understanding regarding how her actions impacted L.Z. Both the caseworker and social worker also testified that mother is not able to put her child’s needs ahead of her own. In addition, on cross-examination, in answer to why the caseplan goal was changed, the caseworker explained that L.Z. did not “feel like her mother can care for her.”

It is evident from the record that L.Z.’s desire to be adopted and mother’s lack of progress are not two wholly separate reasons for seeking a change in the caseplan goal. The matters are interrelated. Given mother’s lack of progress and continued inability to care for her, L.Z. desired to be adopted. Thus, it was entirely proper for the trial court to base its finding of changed circumstances on mother’s lack of progress.

Mother also argues that her situation had not changed since the prior disposition order and therefore there is no change of circumstances. In essence, mother argues that since she had already stagnated for some years, her current lack of progress does not amount to a change in circumstances. Moreover, mother argues that because the DCF caseplans during the years preceding termination did not reflect any expectation of reunification, mother’s inability to resume parenting within a reasonable period of time cannot constitute a change in circumstances.

There is no merit to mother’s argument. Stagnation occurs when a parent’s abilities have not improved from the time of the prior disposition order. See In re D.C., 168 Vt. 1, 4 (1998). Here, the unchallenged findings indicate that mother did not improve in her ability to care for L.Z. We note that mother’s ability to care for L.Z. is relevant even if the disposition plan calls for long-term foster care or permanent guardianship by another adult. The purpose of the long-term foster care plan was to facilitate ongoing visitation between L.Z. and her mother. The record supports the trial court’s conclusion that since the prior disposition order mother had not successfully made the changes necessary to effectively fulfill even the more limited parental role envisioned for her pursuant to the long-term foster care plan. Mother’s continued lack of progress is sufficient to demonstrate stagnation.

Affirmed.

BY THE COURT:

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Paul L. Reiber, Chief Justice

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Marilyn S. Skoglund, Associate Justice

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Beth Robinson, Associate Justice