UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 1013

September Term, 2015

IN RE: ADOPTION/GUARDIANSHIP OF ALICIA D.

Meredith,
Hotten,
Nazarian,

JJ.

Opinion by Hotten, J.

Filed: December 15, 2015

On April 4, 2010, the Circuit Court for Prince George's County, sitting as a juvenile court, declared Alicia D., daughter of Darlesha J., Appellant, to be a Child in Need of Assistance ("CINA"). On April 1, 2014, the Prince George's County Department of Social Services (the "Department") filed a petition for guardianship and termination of parental rights. The circuit court held a hearing on the petition and, on May 20, 2015, issued an order granting the Department's petition. Appellant appealed and presents the following question for our review:

> Did the circuit court err in finding that the Department made reasonable efforts to facilitate a reunion between [a]ppellant and her daughter?

For the reasons that follow, we shall affirm the judgment of the circuit court.

FACTUAL AND PROCEDURAL BACKGROUND

The Department became involved in Alicia's life in December of 2009, when she was approximately two-months old. A social worker for the Department's Child Protective Services Division, Oluyemis Ibikunle, testified that she received a report that Alicia's mother, Darlesha J. (hereinafter "Ms. J.") placed Alicia in a bouncy seat in the family's kitchen and then left the home for a few hours. Ms. Ibikunle visited the home and discovered that Alicia had, in fact, been left unattended. Ms. Ibikunle made contact with Ms. J., who confirmed that she left the home without Alicia and without notifying anyone. At the time of the incident, Ms. J. and Alicia were living with Ms. J.'s ex-foster mother, Ms. C. Prior to that time, when she was pregnant with Alicia, Ms. J. was homeless. Ms. J. had been living in a shelter prior to becoming homeless, but she was removed from the shelter after she got into a fight with one of the shelter's security guards.

Ms. Ibikunle testified that she invited Ms. J.'s family, including Alicia's father, Dionte D. (hereinafter "Mr. D."), to a facilitation meeting to discuss the safety of the child and to provide appropriate referrals and services for the family.[1] After the meeting, Ms. J. signed a safety plan, which stated that Ms. J., Mr. D., and Alicia would live with Mr. D.'s sister, Jessica D. Ms. Ibikunle also completed a report in which Ms. J. was cited for child neglect, and a letter stating the same was mailed to Ms. J.

Approximately two months later, Ms. Ibikunle received a phone call from Jessica D., who reported that Ms. J. wanted to take Alicia out of the home without Jessica D.'s permission. Ms. Ibikunle met with Ms. J. and reminded her that the safety plan required Jessica D.'s permission before Ms. J. could take Alicia out of the home. Ms. Ibikunle held another facilitation meeting, at which it was determined that the parties would live with Ms. J.'s aunt, Ms. O. Ms. Ibikunle testified that, during the meeting, she discovered that Ms. J. was not taking her prescribed medication for a diagnosed bipolar disorder. It was ultimately determined that Ms. J. was incapable of caring for Alicia without supervision. Immediately after the meeting, as she did following the first meeting, Ms. Ibikunle referred Ms. J. to the Department's Family Preservation Unit.

A month later, Ms. Ibikunle visited with the family and observed marks on Alicia. Ms. Ibikunle subsequently filed a CINA petition on behalf of Alicia. Around the same time, Ms. J. and Ms. O. had a fight, and Ms. O. obtained a temporary protective order

[1] Mr. D. voluntarily relinquished his parental rights. He is not a party to this proceeding.

against Ms. J. As a result, Ms. J. left Ms. O's home and joined the carnival. Alicia remained under the care and supervision of Ms. O.

After a month-long stint with the carnival, Ms. J. began living in a tent outside of Ms. J's grandfather's house, but this arrangement ended when Ms. J. was jailed for assault and for violation of probation. Upon her release, Ms. J. moved in with a friend, but she was asked to leave because the police were "coming to the house too much[.]" Thereafter, Ms. J. remained in an abandoned house for "awhile," after which she stayed in her foster mother's daughter's home for a few months. During this time, Alicia remained under the care of Ms. O.

On June 29, 2010, Alicia was adjudicated CINA. As part of the adjudication, the court instituted a permanency plan for Alicia, with a goal towards reunification. Additionally, the Department was ordered to provide a variety of services to Ms. J. to facilitate the plan for reunification. The case was referred to a social worker in the Department's Reunification Unit, Christopher Beegle. In the interim, Alicia was to remain under the care of Ms. O.

From 2010 to 2012, Mr. Beegle provided the following services to Ms. J.: making initial and regular contact; making regular home visits; arranging for visitation between Ms. J. and Alicia; providing housing and parenting-class referrals; providing referrals for mental-health treatment, domestic violence assistance, and employment assistance; providing transportation to therapy sessions and scheduled visitations; and providing

domestic violence literature and other pertinent resources.[2] Mr. Beegle testified that, despite the myriad of services offered by the Department, Ms. J. failed to avail herself of any of the services, either because she never followed up on the referral or because she failed to complete the necessary steps after making contact with the service provider.

Mr. Beegle also testified that he witnessed "safety concerns" and "risky behavior" between Mr. D and Ms. J. Mr. Beegle recounted several incidents involving "threats," serious "verbal arguments," and "threatening behavior" between the couple. Mr. Beegle referred the couple for domestic violence therapy, but neither Mr. D. nor Ms. J. completed the counseling. Although few specifics were given regarding the nature and extent of the domestic violence in which Ms. J. was involved, there was some indication that, on multiple occasions, Ms. J. either instigated the fight or was the primary aggressor.

During this time, Ms. J. made little progress in terms of improving her housing situation. She testified to sleeping in various shelters, with various boyfriends, in abandoned buildings, with "friends," or outside. In 2012, she began living with a man, Mr. K., who would eventually father her second child. Shortly thereafter, Ms. J. began living with a different man, Mr. B., who ended up fathering her third child.[3] At multiple points during this time, Mr. Beegle made available several resources to help stabilize Ms. J.'s

[2] Ms. J. conceded, both at trial and in her brief, that the services provided during Mr. Beegle's tenure were reasonable.

[3] Eventually, both her second and third children were removed from her care by the State, one because of "domestic violence and diaper rash," and the other because "he wasn't receiving his asthma medication properly."

living situation, but Ms. J. failed to follow through, sometimes because she simply did not like having to follow the rules and guidelines of the housing programs.

Mr. Beegle also testified that Ms. J. did not adequately address her mental health needs, despite the Department's efforts in providing referrals for mental health treatment and the Department's routine monitoring of her individual therapy and medication regimen. According to Mr. Beegle, Ms. J. did not consistently attend therapy sessions or take her prescribed medication for her diagnosed bipolar disorder. In fact, Ms. J. admitted to Mr. Beegle that she was disinclined to take her medication.

Mr. Beegle testified that Ms. J.'s efforts in maintaining regular visitation with Alicia were equally inconsistent. Ms. J. would oftentimes miss scheduled visits with Alicia and never reschedule. When she did visit, Ms. J. would become disengaged after only a short time. Ultimately, because "there had not been sufficient progress made," Mr. Beegle recommended changing Alicia's permanency plan from one of reunification to one of permanent placement with Ms. O. At this point, Alicia had been under the care of Ms. O. for over two years.

On December 28, 2012, the court granted the Department's recommendation, and Alicia's permanency plan was changed from reunification to adoption.[4] As a result of this change, Ms. J.'s case was transferred to another social worker, Shawntese Charles, who worked in the Department's Adoption Unit. Several months after receiving the case, Ms. Charles met with Ms. J. to discuss the various services that the juvenile court ordered the

[4] Ms. J. appealed the court's decision, which we affirmed in an unreported opinion. *In Re: Alicia D.*, No. 2279, September Term, 2012 (Filed: August 7, 2013).

Department to provide. These services included individual therapy, medication management, domestic violence treatment, housing assistance, and employment assistance.

Ms. Charles admitted that she never made specific referrals for any of these services; however, Ms. Charles testified that, when she asked Ms. J. about these services, Ms. J. indicated that she was already receiving all the necessary services. Ms. Charles also testified that she did obtain contact information for the service providers from whom Ms. J. claimed to be receiving services. Ms. Charles testified that, although the service providers she contacted generally confirmed Ms. J.'s enrollment, none ever had documentation that Ms. J. had completed the particular service. Ms. Charles added that Ms. J.'s attendance and participation in the services was inconsistent.

Ms. Charles testified that she routinely checked with Ms. J. regarding the services being provided, at which time Ms. J. would either report that she was already receiving the service or say that she did not want to receive the service. Ms. J. would balk at the services recommended by the Department. According to Ms. Charles, Ms. J. never asked for additional services or reported that she needed help obtaining services.

On cross-examination, counsel for Ms. J. noted that the juvenile court held status hearings every six months between June of 2013 and June of 2014, and after each hearing (three in all) the court passed an order reinforcing the Department's duty to provide referrals for specific services for Ms. J. Ms. Charles testified that, despite the court's order, she never provided any referrals for Ms. J. The following colloquy ensued:

THE COURT: So you didn't make any referrals?

[MS. CHARLES]: No, I didn't make any referrals.

THE COURT: Counsel has asked you about the Orders that [the juvenile court] issued.

[MS. CHARLES]: Okay.

THE COURT: At any time did you tell [the juvenile court] either that you would not make these referrals or that you believed that these referrals were not necessary because [Ms. J.] indicated she was already receiving these services in D.C.?

[MS. CHARLES]: I indicated in the [c]ourt that she was already receiving these services through D.C. and indicated the people who she was receiving the services from.

THE COURT: All right. But you said you weren't satisfied with her –

[MS. CHARLES]: Her attendance.

THE COURT: – participation

[MS. CHARLES]: The referral was made, but her attendance, we have no control over if someone attends or not. The referral was made.

THE COURT: Did she complete the program?

[MS. CHARLES]: No, she's gone from different therapists, she would, like every reporting period she would say that she's in a different therapy, she didn't like this therapist and she would go to a different one.

THE COURT: Well when that happened, did you ever decide to send her to a program?

[MS. CHARLES]: No.

THE COURT: And why not?

[MS. CHARLES]: [Ms. J.] was very adamant about receiving services in D.C. She did not ask, when I did talk to her about services she was receiving, she was content at that time.

> She never discussed displeasure to me saying that she wanted my assistance with helping her find another therapist in Maryland or anywhere else. She's always indicated that she's involved in these services.

THE COURT: And you confirmed with all these programs that she was in – enrolled?

[MS. CHARLES]: Yes.

On redirect, Ms. Charles expounded on the specifics of why she did not make any referrals for services. Ms. Charles testified that she did not make a referral for medication management because Ms. J. was receiving medication management through Children's Hospital and then through United Health Care in D.C. Ms. Charles also testified that she did not make any referrals for domestic violence treatment because Ms. J. indicated that she was receiving this treatment via her individual therapist, which Ms. Charles confirmed with the therapist. Regarding housing or employment assistance, Ms. Charles indicated that "for the most part [Ms. J.] was in a shelter" and that the shelter was helping Ms. J. with permanent housing and employment. In fact, one of the services provided by the Department – transportation to and from scheduled visits – had to be discontinued because, at one of the visits, Ms. J. cursed and screamed at Department employees in front of Alicia.

Ms. Charles did directly provide one service – the coordination and supervision of Ms. J.'s visits with Alicia. Ms. Charles testified that, although Ms. J. was generally consistent in making her scheduled visits, she would sometimes bring random men with her to visit with Alicia. Many times, Ms. J. did not engage with Alicia, choosing instead to sit off to the side and use her phone. Ms. Charles did note that Alicia generally enjoyed the contact she had with Ms. J.

In contrast, Ms. Charles testified that Alicia and Ms. O. had a "very close, bonded, loving, nurturing relationship that I continue to observe through the few years I've been working with them." Ms. Charles explained that Alicia "has her own bedroom decorated with princesses; she's very happy, playful, active in the home." Ms. Charles noted that Alicia is "very well cared for and loved[,]" that "there have never been any safety concerns involved in [Ms. O.'s] residence[,]" and that Alicia even refers to Ms. O. as "mom."

At the conclusion of the hearing, the juvenile court made the following findings, in part, regarding the services provided by the Department:

> That the Department offered extensive, timely services to the Mother . . . . The [M]other essentially conceded that Mr. Beegle, as the Department's Social Worker, offered services and did not take issue with the work done by Mr. Beegle. However, the Mother argued that when the case was assigned to the Adoption/Guardianship Unit, that the Department did not provide extensive or timely services, the nature of which would facilitate reunion. Specifically, the Mother argued that the assigned Social Worker Shawntese Charles did not make any referrals or indicate in any way that the services the Mother was receiving were inadequate. Ms. Charles did testify that she did not make referrals for services, but her testimony as her basis for not making referrals was that the Mother communicated to Ms. Charles the services in which she was already participating, and Ms. Charles communicated or made attempts to communicate with those service providers. The Court is also mindful and persuaded by two arguments made by the Department: the first being that Ms. Charles received the case as an Adoption/Guardian worker after the plan was changed to adoption, and the second being that at all permanency planning hearings held while Ms. Charles was assigned the case, the Court found that the Department had exerted reasonable efforts not just toward the permanency plan of termination of parental rights (hereinafter "TPR") and adoption, but also toward complying with the Courts' orders, such finding being implicit in the Court's reasonable effort findings pursuant to Section 3-823 of the Courts and Judicial Proceedings Article, Annotated Code of Maryland. Having taken judicial notice of the CINA case and the Orders therein, the Court notes that even after the plan was changed to adoption the Court maintained provisions about services and visitation with the Mother and found that the Department had made reasonable efforts at each hearing. Furthermore, the

> Court agrees with the Department's argument, as also testified to by Mr. Beegle, that so long as the Mother was receiving services, which the Mother testified to that she was, there would be no purpose and, in fact, it would be counterproductive for the Department to make any referrals as the services would be duplicative.

In addition, the court made several other specific findings before declaring that, by clear and convincing evidence, it was no longer in Alicia's best interests for Ms. J. to remain in a parental relationship with Alicia:

> That the Department of Social Services fulfilled its obligations under social service agreements with the [M]other. . . . [T]hat the Mother complied in part to the social service agreements, but that she was not consistent in services, with housing, or with visitation at significant periods of time during the course of the CINA case[.]
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> * * *
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> That the mother has not been able to adjust her circumstances, conduct, or condition to make it in the best interest of [Alicia] to return home. Especially at the outset of the case, the [M]other did not maintain regular contact with the child or with the Department. . . . And as to the [M]other maintaining contact with [Alicia's] caregiver [Ms. O.], [Ms. O.] testified that at one point she was trying to facilitate extra visitation between the Mother and [Alicia] on Sundays at her church. But due to the Mother's behavior, as well as the behavior of persons the Mother brought with her, which at one point resulted in the pastor becoming involved during a service, [Ms. O.] felt she could no longer facilitate visitation and contact at the church.
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> * * *
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> [T]hat the Mother provided on one occasion monetary assistance to [Ms. O.] to assist with rent, and that the Mother provides gifts and clothes for [Alicia] on holidays. . . . Otherwise, the Mother has not provided assistance toward [Alicia's] care, support and maintenance.
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> * * *
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> [B]oth the Mother and Mr. Beegle testified to the Mother being diagnosed with Bipolar [D]isorder and being prescribed medication. . . . [W]hile a diagnosis of Bipolar Disorder in and of itself may not rise to the

level of a parental disability making a parent unable to consistently be unable to care for a child's immediate and ongoing physical or psychological needs for long periods of time, in this case a lack of management of that disorder may impact the [M]other's ability to parent the child. . . . [T]hat many of the [M]other's behaviors may be indicative of inconsistency in her participating in mental health treatment and medication management.

* * *

[D]espite all the services provided and assistance given, which this Court finds to be extensive over the course of the time [Alicia] has been in care, whether provided directly by the Department or by outside agencies, that the Mother has not been able to adjust her circumstances not only to parent this child, but to prevent involvement by child welfare agencies for her other two children.

* * *

That the Mother has neglected the child. . . . Testimony indicated that the child may have been in the bouncy seat for approximately two hours before she was discovered by another residence [sic] in the household. While this may not constitute severe neglect, it appears indicative of the Mother's impulsiveness and lack of insight into appropriate care.

* * *

The Mother testified that [Alicia] expresses joy at seeing her…but the Court heard no testimony from the Mother or others that [Alicia] sees the Mother in a parental role, and that other than enjoying the time together, that [Alicia] has significant emotional ties or strong feelings toward the [M]other.

* * *

That the evidence presented, primarily through the testimony of [Ms. O.] shows that [Alicia] is well adjusted to her community, home, placement and school.

* * *

That the child's feelings about severance of the parent-child relationship can be inferred. . . . The child is just over five years old, but her counsel has indicated that she sees [Ms. O.] as "Mommy" and that it would be in the best interest of the child to sever parental rights.

* * *

> That the likely impact of terminating parental rights on the child's well-being would overwhelmingly be positive. . . . The Mother testified to numerous relationships, several of which involved domestic violence, and numerous housing situations which included residing in abandoned buildings, living in tents, or residing with persons whom she does not even know their full names (despite the Department providing numerous resources for potential housing). . . .

Additional facts shall be provided, *infra*, to the extent they prove relevant in addressing the issues presented.

STANDARD OF REVIEW

Our review of the juvenile court's decision to terminate parental rights involves three interrelated standards: (1) a clearly erroneous standard, applicable to the juvenile court's factual findings; (2) a *de novo* standard, applicable to the juvenile court's legal conclusions; and (3) an abuse of discretion standard, applicable to the juvenile court's ultimate decision. *In re Yve S.*, 373 Md. 551, 586 (2003). In short, "when the appellate court views the ultimate conclusion of the [juvenile court] founded upon sound legal principles and based upon factual findings that are not clearly erroneous, the [court's] decision should be disturbed only if there has been a clear abuse of discretion." *Davis v. Davis*, 280 Md. 119, 126 (1977). Moreover, for us to find an abuse of discretion, the court's decision must be "well removed from any center mark imagined by the reviewing court and beyond the fringe of what that court deems minimally acceptable." *In re Adoption/Guardianship No. 3598*, 347 Md. 295, 313 (1997) (quoting *North v. North*, 102 Md. App. 1, 14 (1994)).

DISCUSSION

Ms. J. argues that, following the transfer of her case from Mr. Beegle to Ms. Charles, the Department failed to provide the requisite level of reasonable services to facilitate a reunion between her and Alicia. Ms. J. alleges that Ms. Charles only verified that Ms. J. was receiving services from one provider, and that Ms. Charles did not verify that Ms. J. was actually receiving individual therapy, medication management, or domestic violence treatment, as ordered by the court. Ms. J. also claims that Ms. Charles failed to provide referrals for housing or employment assistance and that Ms. Charles cancelled the vouchers for transportation.

The Department counters that the reasonableness of services provided is determined by Alicia's permanency plan, which had been changed to adoption by the time Ms. Charles received the case. Therefore, according to the Department, Ms. J.'s assertion that Ms. Charles failed to make reasonable efforts to facilitate a reunion is misleading because the Department's efforts were directed toward adoption when Ms. Charles was assigned to the case. The Department also argues that the adequacy of services provided is just one of many statutory factors that the juvenile court must consider in rendering its decision. The Department contends that there were other legitimate factors that the court cited in making its decision, including Ms. J.'s chronic instability, her unwillingness to properly address her mental health issues, her lack of participation in those services provided, and her general inability to make the necessary life adjustments in the five years that the Department was involved in her case. We agree.

We have held that a parent's constitutionally-protected right to raise their children creates a presumption "that it is in the best interest of the children to remain in the care and custody of their parents." *In re Adoption/Guardianship of Rashawn H.,* 402 Md. 477, 495 (2007). "That presumption, however, has limits, and the right of a parent to make decisions regarding the care, custody, and control of their children may be taken away where (1) the parent is deemed unfit, or extraordinary circumstances exist that would make a continued relationship between parent and child detrimental to the child, and (2) the child's best interests would be served by ending the parental relationship." *In re Adoption/Guardianship of Jasmine D.*, 217 Md. App. 718, 734 (2014).

"When the State seeks to terminate parental rights without the consent of the parent, the standard is whether the termination of rights would be in the best interest of the child." *In re Abiagai C.,* 138 Md. App. 570, 586 (2001). "In determining the child's best interests, the juvenile court is required to consider the statutory factors in [Md. (Repl. Vol. 2012), § 5-323 (d) of the Family Law Article, ("Fam. Law")]." *In re Jasmine D.*, 217 Md. App. at 734. Furthermore, "[i]n cases where parental rights are terminated, it is important for each factor to be addressed specifically not only to demonstrate that all factors were considered but also to provide a record for review of this drastic measure." *In re Adoption/Guardianship No. 87A262,* 323 Md. 12, 19-20 (1991). If, based on these factors, the court finds by clear and convincing evidence that the child's best interests are served by a termination of parental rights, then the court may terminate said rights. *In re Jasmine D.,* 217 Md. App. at 734.

The primary factor the court must consider before terminating parental rights is "the health and safety of the child[.]" Fam. Law § 5-323(d). The other factors the court must consider are, in relevant part: (1) the nature and timeliness of the services offered by the Department to the parent; (2) the extent to which the parent has fulfilled her obligations under a social service agreement; (3) the extent to which the parent has maintained regular contact with the child, the child's caregiver, and the Department; (4) the parent's financial contributions; (5) the existence of a disability that impedes a parent's ability to meet the child's long-term needs; (6) whether the parent has abused or neglected the child or a minor and the seriousness of the abuse or neglect; (7) the child's emotional ties with and feelings toward the parent; and (8) the child's adjustment to current placement.[5] *Id.*

There is little doubt, and Ms. J. does not contend otherwise, that the juvenile court engaged in a thorough and thoughtful analysis of all the relevant factors outlined in Fam. Law § 5-323(d) before rendering its decision. Moreover, Ms. J. readily admits that the services provided by the Department from 2010 to 2012, when Alicia's permanency plan was one of reunification, were reasonable. Ms. J.'s only contention is that the Department did not provide certain referrals for services upon Ms. Charles' assignment to the case, when the permanency plan had already been changed to one of adoption. Based on this sole factor, Ms. J. concludes that the Department did not engage "reasonable efforts" to facilitate a reunion between Ms. J. and Alicia.

[5] There are additional factors within Fam. Law § 5-323(d), which the court noted in its findings, but that are inapplicable to the present case.

Ms. J's arguments are, for lack of a better description, devoid of merit. First, the reasonableness of the Department's proffer of services is but one of many factors that the court must, and did, consider before it determined that terminating Ms. J.'s parental rights was in Alicia's best interests. Moreover, "the court must weigh all of the statutory factors together, **without presumptively giving one factor more weight than another.**" *In re Jasmine D.*, 217 Md. App. at 737 (Emphasis added).

In addition to determining that the services provided by the Department were reasonable, the court found that Ms. J. was not fulfilling her obligations under the service agreement, was not engaging in regular contact with the Department, was not following through on the services provided, and was not maintaining a stable environment. The court also found that Alicia's emotional ties with Ms. J. were lacking, that Ms. J.'s efforts in visiting with Alicia were inconsistent, and that Ms. J.'s inability to address her housing and mental-health issues were a serious impairment to her capacity to care for Alicia's long-term needs. It was on the sum of these conclusions, all of which were supported by testimony and other evidence adduced at trial, that the court based its ultimate decision.

Furthermore, Ms. J.'s assertion that the Department's provision of services did not meet the statutory requirement of "reasonable efforts" is without basis in fact or law. Although Maryland Code, Family Law § 5-525(e)(1) does require that the Department make reasonable efforts to reunify families, "both federal and state law make clear that a local department is not required to make 'reasonable efforts' indefinitely." *In re James G.*, 178 Md. App. 543, 589 (2008). By Ms. J.'s own admission, the Department made reasonable efforts to effectuate reunification for approximately *three years* before Ms.

Charles was assigned the case, and in that time Ms. J. made slight use of the services offered by Department. With the few services she did exploit, Ms. J. accomplished very little, as she neither improved the circumstances regarding her housing, employment, and mental-health needs nor made any significant efforts at creating meaningful interactions with Alicia beyond hour-long supervised visits.

Nonetheless, even if we were to review, in a vacuum, the court's finding that the services provided by Ms. Charles were reasonable, we cannot say with any semblance of sincerity that this finding was clearly erroneous. The court noted that three separate review hearings were held in the time that Ms. Charles was assigned to the case, and at each hearing the court found that the efforts of the Department were reasonable. Moreover, the undisputed reason for Ms. Charles' lack of referrals was that Ms. J. either reported that the services were being provided or affirmatively declined the services. Ms. Charles exhibited due diligence in confirming that Ms. J. was in fact receiving the purported services, and, as a result, Ms. Charles did not make additional referrals. As the court found, it would be of little use, and perhaps even be counterproductive, for Ms. Charles to have recommend services that Ms. J. either already had or did not want. *See In re James G.*, 178 Md. App. at 601 (The Department "need not expend futile efforts on plainly recalcitrant parents[.]").

Finally, and perhaps most importantly, Ms. J.'s arguments ignore one immutable fact – that Alicia had been living in Ms. O.'s home without interruption *for over five years* before the court terminated Ms. J.'s parental rights. In that time, Ms. J. had countless opportunities to show the court and the Department that she was capable of taking the necessary steps toward reunification, but, for whatever reason, Ms. J. failed to do so.

Instead, she exhibited a repeated lack of progress in nearly every area deemed problematic by the court, including her unstable housing situation, her lack of employment, her issues of violence, her mental health issues, and her general lack of parenting skills.

As reflected in the record, Alicia was well taken care of by Ms. O., with whom she has a loving, nurturing, and strong bond and whom she calls "mom." There is little, if anything, to be gained by continuing Ms. J.'s maternal relationship with Alicia, as the only mother Alicia has ever known is Ms. O. Accordingly, we shall affirm.

JUDGMENT OF THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY IS AFFIRMED. COSTS TO BE PAID BY APPELLANT.