

Circuit Court for Prince George's County
Case No. CINA-14-0140

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1174

September Term, 2019

IN RE: J.J.

Beachley,
Gould,
Adkins, Sally D.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Beachley, J.

Filed: February 19, 2020

*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

This appeal arises from an order issued by the Circuit Court for Prince George's County, sitting as a juvenile court, which changed the permanency plan for J.J. (born November 2012), a child adjudicated in need of assistance ("CINA"),¹ from custody and guardianship with a non-relative, to adoption by a non-relative. Appellant, Ms. J. ("Mother"), timely noted an appeal of the juvenile court's order,^{2,3} asking us to consider the following questions:

1. Did the court err when it found that the department had made reasonable efforts towards reunifying Ms. J's family when it failed to promote frequent and meaningful visitation between Ms. J. and J.J., and failed to provide her with services crucial to the family's reunification?
2. Did the court commit error when it changed the permanency plan for J.J. to adoption, which would irrevocably dismantle the family, when Ms. J. was steadily improving and the department failed to make reasonable reunification efforts?

For the reasons that follow, we affirm the decision of the juvenile court.

¹ Pursuant to Md. Code (1974, 2013 Repl. Vol.), § 3-801(f) of the Courts and Judicial Proceedings Article ("CJP"), a "child in need of assistance" means "a child who requires court intervention because: (1) The child has been abused, has been neglected, has a developmental disability, or has a mental disorder; and (2) The child's parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and the child's needs."

² An order changing a permanency plan for a child adjudicated CINA is an appealable interlocutory order. CJP § 12-303(3)(x); *see also In re Damon M.*, 362 Md. 429, 434 (2001).

³ J.B., J.J.'s putative father who participated in the CINA adjudication hearing, was later determined not to be her father. J.J.'s father is unknown to the Department, and he is not a party to this appeal.

FACTS AND LEGAL PROCEEDINGS

On October 6, 2014, after having removed J.J. from Mother's home and placing her in shelter care, the Prince George's County Department of Social Services ("the Department") filed a CINA petition, alleging that Mother was unable or unwilling to provide J.J. proper care and attention because she had a history of mental health issues, drug usage, and prostitution (sometimes occurring with her daughter in the room). Mother had been observed smoking crack in front of J.J., and the Department had learned that she planned to substitute her daughter's urine for her own during a required drug test on October 3, 2014. The Department also noted that five of J.J.'s older siblings had previously been removed from Mother's care and were found to be CINA due to Mother's neglect and drug usage; none had been returned to her.⁴ Following a shelter care hearing, the juvenile court placed J.J. in the temporary care and custody of the Department, pending an adjudicatory hearing.

On February 3, 2015, the juvenile court held a CINA adjudication and disposition hearing, in which it sustained the allegations in the Department's CINA petition and declared J.J. to be CINA, based on Mother's neglect. The court placed J.J. in the custody of the Department and ordered Mother to participate in substance abuse, evaluation, testing, and treatment, as well as individual counseling.

⁴ At the time, Mother had physical custody of J.J. but shared legal custody with J.P., the child's godmother. Mother said she had placed J.J. with J.P. when the child was born because she was unable to care for the infant, and she feared the Department would take her.

Ahead of a March 11, 2015 permanency plan hearing, the Department filed a report detailing that J.J. had been placed in the therapeutic foster home of S.S., where her brother Jo.J. had also been placed. J.J. had adjusted well to her placement and was participating in biweekly cognitive, language, adaptive/self-help therapy, and play therapy, to address her developmental delays.

Mother, the report continued, had been diagnosed with adjustment disorder with depressed mood and post-traumatic stress disorder and had been participating both in mental health services with TATEIOMS⁵ and in weekly individual therapy services. She had yet to receive substance abuse treatment, but according to a TATEIOMS screening, she did not require such services. Mother had remained in contact with the Department and had visited with J.J. The Department recommended that J.J. remain in care, with a permanency plan of reunification with Mother.

Following the hearing, the juvenile court found that the Department had made reasonable efforts toward the permanency plan of reunification with Mother. The court further found that J.J. continued to be a CINA, and ordered her to remain in the care and custody of the Department. The court ordered supervised visitation with Mother and with J.J.'s siblings. Mother was ordered to attend mental health and substance abuse treatment, family therapy, and anger management counseling and to sign releases necessary for the

⁵ TATEIOMS is a private outpatient mental health and psychiatric rehabilitation program that offers services to children, adolescents, and adults in Prince George's County. According to its website, TATEIOMS is an acronym for "the answer to excellence in outpatient mental-health services." http://tateioms.com/home_1.html (last visited February 13, 2020).

Department to monitor her attendance and progress in those programs.

The Department's report in advance of a June 24, 2015 permanency plan review hearing (which was rescheduled to September 1, 2015) stated that J.J. continued to do well in cognitive, language, and play therapy services and was up to date on her medical appointments. Since the last hearing, Mother had remained in contact with the Department and continued to engage in mental health services with TATEIOMS and her therapist. She had begun to receive substance abuse treatment with Act II, an outpatient rehab facility, in March, but as of May 6, 2015, she had attended only two of the 24 recommended sessions. Following the September 1, 2015 hearing, the court found that the Department had made reasonable efforts toward the permanency plan of reunification and continued J.J.'s status as a CINA and the permanency plan of reunification with Mother.

Prior to the hearing scheduled for January 20, 2016 (which was rescheduled to February 11, 2016), the Department reported that J.J. had issues with hoarding food in her foster home. She also continued to struggle with toilet training. Having entered care with limited language skills, she was, however, talking more and speaking in full sentences. She was making "slow, steady progress" in her therapies.

Mother had moved and was living with a friend but declined to provide the Department with the address. The Department referred her to Laurel Advocacy and Referral Services ("LARS") for services, including short-term case management, eviction prevention/rental assistance, utility assistance, food assistance, and referrals for other services. Mother was no longer participating in mental health services with TATEIOMS or in substance abuse treatment and was advised by the Department to re-engage in those

services. Since the last court hearing, Mother had participated in only one visit with J.J. The Department had completed a Family Finder referral to identify relatives for placement and visitation.

Following the February 11, 2016 hearing, despite the Department's request to change the permanency plan to termination of parental rights and adoption by a non-relative, the juvenile court changed the plan to custody and guardianship with a non-relative. The court based its ruling on its findings that J.J. had been in care since 2014, Mother had not made significant progress in addressing the issues that brought J.J. into care and it appeared unlikely she would do so, and there were no other viable options for the child.

In advance of a June 3, 2016 hearing (rescheduled to June 21, 2016), the Department reported that J.J. no longer had issues with hoarding food, and she had made great progress in toilet training. Her speech had improved, and she was speaking in complete sentences. She was attending daycare daily and continuing her biweekly therapies, although she was soon to be discharged, as she had completed all the goals on her treatment plan. Her temper tantrums were continuing, however, and she had displayed some physically aggressive behavior toward S.S.'s biological daughter.

Since the last hearing, the Department had scheduled one visit with Mother and three of J.J.'s siblings. Mother expressed interest in further visits, but failed to coordinate the scheduling of these visits with the Department. And, despite the fact that J.P., J.J.'s godmother, had expressed interest in being a placement resource for J.J., J.P. had not

completed the restrictive foster parent training classes, nor the background clearance and fingerprint check.

Mother had been referred for a substance abuse assessment with the Prince George's Health Department, which recommended inpatient substance abuse treatment at Mountain Manor Treatment Center. Mother successfully completed that program but did not follow up with outpatient substance abuse counseling at Act II. Following the hearing, the court found that the Department had made reasonable efforts toward achieving the permanency plan and continued the plan of custody and guardianship by a non-relative.

A series of postponements pushed the next permanency plan hearing to February 26, 2018, and it continued on May 8, 2018, September 5, 2018, October 2, 2018, and January 4, 2019. The Department report ahead of the February hearing stated that S.S. had expressed an interest in being considered a resource for custody and guardianship of J.J. The Department requested that J.P.'s consideration for guardianship be rescinded because she had shown no effort toward achieving it.

By February 26, 2018, Mother had been homeless for approximately four to five months, despite referral to LARS, which had a shelter program and would guarantee housing to her and the children if the children were returned to her care. She had also lost her Section 8 housing voucher, which she had held since 1999. Mother had refused to submit to a substance abuse assessment or treatment or psychological evaluation, as ordered. Mother had not visited with J.J. since July 2017.

J.J. was doing "great" in her therapeutic foster home. Since her placement with S.S., J.J.'s vocabulary and socialization had increased, and she was adjusting well to the

home and to daycare. However, she exhibited bullying, crying for hours at a time, lying, hoarding food, and insomnia.

Mother visited with J.J. in April 2018, but the worker did not set up another visit because J.J.'s foster mother reported that J.J. had acted up in school after the April visit—being disrespectful to her teachers, being aggressive with other children and not listening—and the Department determined it was not in her best interest to have further visits.

Ebony Bilo, the Department worker responsible for providing reunification services to the J. family since 2012, received J.J.'s case in October 2016, when she was removed from Mother's care. From then until she was replaced by Yvette Rawley on J.J.'s case in April 2017, she assisted Mother with services to include substance abuse treatment, outpatient mental health treatment, transportation assistance, visitation, and housing. During Ms. Bilo's time on the case, Mother did not make herself available for communication, and her visitation with the children was inconsistent despite Ms. Bilo's efforts to arrange visits at locations within walking distance of her home. Ms. Bilo also found Mother to not be forthcoming with information.

At the continued permanency plan and review hearing on September 5, 2018, Shirley Myers, the Department's case worker supervisor, explained that J.J. had been in care for over 30 months and that Mother had not been compliant in services offered to her, most notably substance abuse treatment and visitation with J.J. Ms. Myers offered her opinion that the permanency plan should change to adoption. The hearing was continued until October 2, 2018, to await the completion of J.J.'s neuropsychological evaluation.

On October 2, 2018, S.S., J.J.’s foster mother, testified that when J.J. entered her care approximately four years earlier, the child showed little emotion—she did not cry or want to be held—and she did not speak at all, although she did throw temper tantrums. J.J. was also not toilet trained and did not sleep through the night. She hoarded food, hiding it around the house, and would sometimes eat until she vomited. S.S. said it was difficult to bond with the child initially, but J.J. had since come around and was very affectionate. She now called S.S. and her husband, “mom” and “dad.” When J.J. returned from visits with Mother or J.P., however, she would revert to bed wetting and picking fights at school.

L.L., foster mother to two of Mother’s older children, detailed that Mother had regularly attended visitation with those children and was involved in their activities. She had tried to arrange sibling visitation with J.J. through Ms. Bilo, who advised “it was difficult” because J.J. lived in Baltimore. When Ms. Rawley replaced Ms. Bilo as caseworker, L.L. left several messages before receiving a return call. A visit was arranged, but there had been no others for approximately two years, despite L.L. asking the court to intervene.

Korlett Whitehead, a therapist with TATIEOMS, began working with Mother in 2016, providing psychotherapy, psychiatric services, and medication management. She met with Mother weekly, working on issues of depression, family relationships, and trauma experienced by Mother and her children. According to Ms. Whitehead, despite her homelessness, lack of positive reinforcement, or any support provided by her caseworkers, Mother had, in the past two years, “done well in regard to coping strategies” and had “grown tremendously.” When Ms. Bilo was Mother’s caseworker, Ms. Whitehead had an

extensive conversation with Ms. Myers suggesting that Mother be reassigned to another worker because the two did not get along and “nothing was getting done,” particularly with visitation.

Mother testified that she and her 19-year-old son were then living in two rooms rented from her godmother J.P. until she was able to get her own home or reobtain her housing voucher, implicitly recognizing that housing was her biggest obstacle to reunification with J.J. She explained that she had lost her Section 8 housing voucher because she listed her children on the voucher, despite the fact that they were all in foster care at the time; she denied any fraudulent intent in doing so. She said that both Ms. Bilo and Ms. Rawley gave her the same referral to LARS, which she found out did not help with housing, because LARS only helped with rent and a security deposit after she found a place to live.

With regard to visitation, Mother claimed she had left messages for Ms. Bilo, which were not returned, and that while Ms. Bilo was her caseworker, she had only three visits with J.J. She further claimed that nothing changed once Ms. Rawley was assigned to her case. Mother also maintained that she was “[s]taying off drugs,” going to therapy, and generally turning her life around.

During closing argument, which took place on December 4, 2018, the Department presented its position that it was in J.J.’s best interest to change the permanency plan to termination of parental rights and adoption. The Department argued that, despite Mother’s “long history of drug abuse,” she had done very little to address the problem, and she still had not found stable housing. And, given J.J.’s reversion to nightmares, bedwetting, and

food hoarding after visits with Mother, the Department also suggested that continued visitation was not in the child's best interest. The child's attorney agreed that J.J., who had been in care for more than four years, deserved permanence and that it would be in her best interest to change the permanency plan to adoption.

Mother urged a plan of reunification, or, in the alternative, custody and guardianship with L.L., with whom two of J.J.'s siblings already lived. In support of reunification, Mother argued that the Department had "provided her precious few resources to change her circumstances." In her view, the only real effort the Department had made was the referral to TATEIOMS for therapy. Mother argued that the Department had made little to no effort in providing referrals for substance abuse or testing, visitation, and housing. The court deferred its ruling to January 4, 2019.

In its oral ruling, the juvenile court, in briefly discussing the history of the protracted matter, pointed out that during the time the permanency plan of reunification had been in place, the Department had made reasonable efforts to address Mother's drug dependency, mental health, and housing issues, but Mother did not follow through with the services or maintain contact with the Department. Mother was "often defiant with those who were trying to assist her," and she blamed others for her lack of forward progress. At the same time, J.J. was thriving with the S. family and was beginning to "lose those barnacles of neglect that had attached to her under her mother's care." Her behavior had improved, she had stopped hoarding food, she became toilet trained, she had fewer night terrors, and she began to speak. After considering the required statutory factors, and finding that the Department had made reasonable efforts in furtherance of the permanency plan, the court

found that it was “way past the time” for J.J. to have permanency and that it was in her best interest to change the permanency plan from custody and guardianship to adoption.⁶

The court did not file its written order until after a status hearing on June 13, 2019.⁷ In its order, the court detailed the reasonable efforts the Department made to effectuate the permanency plan and continued the permanency plan of adoption. Mother noted a timely appeal of the court’s ruling.

DISCUSSION

Mother contends that the juvenile court abused its discretion in changing J.J.’s permanency plan from custody and guardianship to adoption because the court erred in finding that the Department made reasonable efforts to facilitate reunification. She also avers that the court was not justified in changing the plan to adoption when she had made progress regarding her mental health, could prove to the Department that substance abuse was no longer an issue, and that she simply needed time and assistance to obtain housing.

Standard of Review

In CINA proceedings,

factual findings by the juvenile court are reviewed for clear error. An erroneous legal determination by the juvenile court will require further

⁶ Having set forth its reasons that the plan would not be reunification, the court did address Mother’s alternate suggestion of custody and guardianship to L.L. The court pointed out that L.L. had “not really participated in these proceedings” and was already doing “her lion’s share” in maintaining custody of Mother’s other children.

⁷ It is worth pointing out that by the June 2019 hearing, Mother was still unemployed and living in her two-room rental with her oldest son. She also continued to refuse to participate in a substance abuse assessment. Nonetheless, she continued to advocate for reunification with J.J.

proceedings in the trial court unless the error is deemed to be harmless. The final conclusion of the juvenile court, when based on proper factual findings and correct legal principles, will stand unless the decision is a clear abuse of discretion.

In re Ashley S., 431 Md. 678, 704 (2013) (citing *In re Yve S.*, 373 Md. 551, 586 (2003)). Specifically, when reviewing a juvenile court’s decision to modify a permanency plan, an appellate court determines if there has been an abuse of the court’s discretion. *In re Shirley B.*, 419 Md. 1, 18-19 (2011).

The Court of Appeals has emphasized that appellate review of a juvenile court’s determination concerning a permanency plan is “limited.” *Ashley S.*, 431 Md. at 715. “Because the overarching consideration in approving a permanency plan is the best interests of the child, we examine the juvenile court’s decision to see whether its determination of the child’s best interests was ‘beyond the fringe’ of what is ‘minimally acceptable.’” *Id.* (quoting *Yve S.*, 373 Md. at 583-84). In doing so, we must remain mindful that

only [the juvenile court] sees the witnesses and the parties, hears the testimony, and has the opportunity to speak with the child; [it] is in a far better position than is an appellate court, which has only a cold record before it, to weigh the evidence and determine what disposition will best promote the welfare of the minor.

Baldwin v. Bayard, 215 Md. App. 82, 105 (2013) (quoting *Yve S.*, 373 Md. at 585-86).

Analysis

I. Reasonable Efforts

Mother first argues that the juvenile court erred when it determined that the Department had made reasonable efforts to facilitate reunification. Specifically, she faults

the court for crediting the Department's evidence that it provided her sufficient services to effectuate permanent housing, substance abuse treatment, and adequate visitation with J.J.

Whether the Department has made reasonable efforts toward the effectuation of a particular permanency plan "is a factual finding that [we] review[] pursuant to the clearly erroneous standard." *In re Shirley B.*, 191 Md. App. 678, 708 (2010), *aff'd*, 419 Md. 1 (2011).

"Reasonable efforts means efforts that are reasonably likely to achieve the objectives set forth in § 3-816.1(b)(1) and (2) of [the Courts and Judicial Proceedings Article.]"⁸ This definition is amorphous. Thus, it is clear that there is no bright line rule to apply to the "reasonable efforts" determination; each case must be decided based on its unique circumstances.

Id. at 710-11. Reasonable efforts "need not be perfect to be reasonable" but "must

⁸ In *In re Shirley B.*, 191 Md. App. at 710 n.17, footnote 17 states that section 3-816.1(b)(1) and (2) provides in relevant part:

(b)(1) In a hearing conducted in accordance with § 3-815, § 3-817, § 3-819, or § 3-823 of this subtitle, the court shall make a finding whether the local department made reasonable efforts to prevent placement of the child into the local department's custody.

(2) In a review hearing conducted in accordance with § 3-823 of this subtitle or § 5-326 of the Family Law Article, the court shall make a finding whether a local department made reasonable efforts to:

(i) Finalize the permanency plan in effect for the child;
[and]

(ii) Meet the needs of the child, including the child's health, education, safety, and preparation for independence[.]

adequately pertain to the impediments to reunification.” *In re James G.*, 178 Md. App. 543, 601 (2008).

Despite Mother’s claim that the Department did not make reasonable efforts toward reunification, the only issue properly before us is whether the juvenile court erred in determining that reasonable efforts were made toward placing J.J. in the custody of a non-relative, as that is the permanency plan in effect at the pertinent time. The court changed the permanency plan from reunification to custody and guardianship with a non-relative in February 2016, and Mother neither challenged its repeated findings that the Department had made reasonable efforts toward reunification, nor appealed the ultimate change in permanency plan.

The record reflects three possible non-relatives who may have been considered for custody and guardianship: J.P., the child’s godmother, who shared legal custody with Mother; L.L., the foster mother of two of Mother’s other children; and S.S., the child’s therapeutic foster mother. J.P. did not participate in the Department’s required background checks and application procedures, and she withdrew from consideration. As for L.L., the court found that she had participated only tangentially in J.J.’s case and had her hands full with custody of the other children. S.S. was obviously a resource, as J.J. was already placed with her, and S.S. had expressed a desire to be the child’s guardian.

The court found that the Department had made reasonable efforts to finalize the permanency plan by: maintaining J.J. in a licensed therapeutic placement; maintaining contact with the foster parents and family services worker; monitoring J.J.’s school placement to ensure her educational needs were being met; exploring summer camp

activities and funding; monitoring J.J.'s mental health services and ongoing healthcare; following up on a Court Appointed Advocate; and remaining in contact with Mother.

We perceive no clear error in the juvenile court's determination that the Department made reasonable efforts toward the effectuation of J.J.'s permanency plan of custody and guardianship with a non-relative placement. Accordingly, we reject Mother's contention that the juvenile court erred in connection with its reasonable efforts finding.

II. *Change in Permanency Plan*

Mother further asserts that the juvenile court abused its discretion by changing J.J.'s permanency plan from custody and guardianship with a non-relative to termination of parental rights and adoption by a non-relative. She contends that the court should not have ordered the change because she addressed the Department's concerns and improved her situation.

When a CINA is committed to a local department of social services, the juvenile court must determine which permanency plan is in the child's best interest. CJP § 3-823(e)(1); *In re Caya B.*, 153 Md. App. 63, 76 (2003).⁹ A permanency plan hearing is "an

⁹ The permanency plans, "in descending order of priority," are: (1) reunification with the parent or guardian; (2) placement with relatives for adoption or custody and guardianship; (3) adoption by a non-relative; (4) custody and guardianship by a nonrelative; or (5) another planned permanent living arrangement. CJP § 3-823(e)(1)(i).

Reunification with a parent is presumptively the better option, as it is presumed to be in the child's best interest to remain in the care and custody of his or her biological parent. *In re Adoption/Guardianship of Cadence B.*, 417 Md. 146, 157 (2010). Nonetheless, "if there are weighty circumstances indicating that reunification with the parent is not in the child's best interest, the court should modify the permanency plan to a more appropriate arrangement." *Id.*

integral part of ‘the statutory scheme designed to expedite the movement of Maryland’s children from foster care to permanent living[.]’” *Ashley S.*, 431 Md. at 686 (quoting *In re Damon M.*, 362 Md. 429, 436 (2001)).

Following its implementation of a permanency plan, a juvenile court must conduct periodic hearings to review a child’s permanency plan, during which the court must, *inter alia*, determine whether reasonable efforts have been made to finalize the permanency plan and change the permanency plan if it would be in the best interest of the child to do so. CJP § 3-823(h)(2)(ii) and (vi). Pursuant to CJP § 3-823(e)(2), in determining and reviewing the child’s permanency plan, the court must consider the factors enumerated in Md. Code (1984, 2019 Repl. Vol.), § 5-525(f)(1) of the Family Law Article (“FL”), which include:

- (i) the child’s ability to be safe and healthy in the home of the child’s parent;
- (ii) the child’s attachment and emotional ties to the child’s natural parents and siblings;
- (iii) the child’s emotional attachment to the child’s current caregiver and the caregiver’s family;
- (iv) the length of time the child has resided with the current caregiver;
- (v) the potential emotional, developmental, and educational harm to the child if moved from the child’s current placement; and
- (vi) the potential harm to the child by remaining in State custody for an excessive period of time.

Here, the record supports a reasonable conclusion that the juvenile court properly considered the required factors before changing J.J.’s permanency plan. As far as the child’s ability to be safe and healthy in the parent’s home, the court, while acknowledging

the “great strides” Mother had made in the last year toward addressing her issues, noted that J.J.’s ability to be safe and healthy in Mother’s home “would be tenuous at best” because Mother was still grappling with physical and mental health issues, and there was no clear evidence she was managing her drug dependency. FL § 5-525(f)(1)(i).

Regarding J.J.’s attachment and emotional ties to her natural parent and siblings, the court found that J.J. was “extremely attached” to Jo.J., with whom she lived, and that she had ties with her other siblings who were in separate foster homes, despite the challenges in getting them all together for visits. And, although J.J. recognized who her biological mother is, “there’s not that emotional attachment.” Her strongest bond was to S.S., whom J.J. considered to be her mother. FL § 5-525(f)(1)(ii).

In discussing J.J.’s emotional attachment to her current caregivers, the court found clear evidence that J.J., who had been with the S. family for approximately four years, feels part of the family, is bonded to all its members, and that the family was her whole “emotional world.” She had made huge strides in their care and was “light years ahead of where she was when she came into the Department’s care.” FL § 5-525(f)(1)(iii) and (iv).

The court found that the time period between age two, when J.J. was placed with the S. family, and age six, her then current age, was “the most crucial in the development of a child.” Again, her whole emotional support system rested with the S. family, and to remove her from that placement would be “so incredibly detrimental to [J.J.] that it would be insurmountable to bring her back to where she is now and for her to progress forward to becoming a healthy, happy, teenager, adult, and things of that nature.” Likewise, the court continued, the potential harm to the child by further remaining in State custody would

only increase as she got old enough to know she had no permanency and could be removed from her family if Mother chose to step back into her life.¹⁰ Therefore, the harm to J.J. of remaining in the care and custody of the Department would be “detrimental.” FL § 5-525(f)(1)(v) and (vi).

We conclude that the juvenile court adequately considered the required statutory factors when reviewing J.J.’s permanency plan and reasonably concluded that it was in J.J.’s best interest to change her permanency plan to adoption by a non-relative. We perceive no abuse of discretion in the court’s ruling. Accordingly, we affirm.

**ORDER OF THE CIRCUIT COURT FOR
PRINCE GEORGE’S COUNTY, SITTING
AS A JUVENILE COURT, AFFIRMED;
COSTS TO BE PAID BY APPELLANT.**

¹⁰ “Recognizing that children have a right to reasonable stability in their lives and that permanent foster care is generally not a preferred option, the law requires, with exceptions not applicable here, that [the Department] file a [termination of parental rights] petition if ‘the child has been in an out-of-home placement for 15 of the most recent 22 months.’ See FL § 5-525.1(b).” *In re Adoption/Guardianship of Rashawn H.*, 402 Md. 477, 501 (2007); CJP § 3-823(h)(4).