UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 1706

September Term, 2015

IN RE: D.B., K.T., AND D.C.

Meredith,
Nazarian,
Thieme, Raymond G., Jr.
(Retired, Specially Assigned),

JJ.

Opinion by Thieme, J.

Filed: March 25, 2016

Latisha B., appellant, is the mother of three children: "D.B." (born in 2003), "K.T." (born in 2006), and "D.C." (born in 2010) (collectively the "Children"). On May 30, 2008, the Circuit Court for Baltimore City, sitting as the juvenile court, declared D.B. and K.T. to be Children in Need of Assistance ("CINA").[1] On March 21, 2013, D.C. was also declared CINA, and, on April 18, 2013, all three children were committed to the Baltimore City Department of Social Services (the "Department") with a permanency plan for reunification with appellant.

In August of 2014, following several contested review hearings before a magistrate, the court ordered a change in the Children's permanency plans from reunification with appellant to placement with a relative for adoption/guardianship.[2] Appellant filed exceptions to the magistrate's recommendations, and a *de novo* exceptions hearing was held on January 15, 2015 and March 2, 2015. On August 13, 2015, the juvenile court ordered the permanency plans changed from reunification with appellant to placement with a relative for adoption or custody and guardianship.

Appellant appealed, presenting the following questions for our review, which we rephrase[3]:

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[1]*See* Maryland Code, Courts and Judicial Proceedings, § 3-801, *et seq.*

[2]The court did order that D.C.'s permanency plan be a concurrent plan of reunification with his father only, along with placement with a relative for adoption or custody and guardianship. D.C.'s father is not a party to this appeal.

[3]Appellant presented the questions as follows:

(continued...)

1. Did the juvenile court err in finding that the Department made reasonable efforts to facilitate a reunion between appellant and the Children?

2. Did the juvenile court err in changing the Children's permanency plans?

Finding no error, we affirm.

BACKGROUND

On or about January 24, 2008, the Department responded to a report of neglect at the home of D.B. and K.T.'s aunt, Tandy B., with whom the children were staying. Upon arrival, the Department noted that D.B. and K.T. had "poor hygiene" and the home was "dirty." In addition, K.T. was observed as having a "swelling to the right side of her neck." Appellant was "not present and could not be immediately located." The Department filed for Emergency Shelter Care on behalf of D.B. and K.T., which was denied by the court. Instead, the court returned the two children to the care of appellant and issued an "Order Controlling Conduct," wherein appellant was ordered to maintain contact with the Department and keep adequate food in the home at all times.

[3](...continued)

1. Did the court err by finding that the Department provided reasonable and tailored efforts and by granting the change in plan where they failed in this obligation?

2. Did the court err by changing the children's permanency plans?

On May 28, 2008, a review hearing was held, and D.B. and K.T. were adjudicated CINA and placed under an Order of Protective Supervision to the Department. The court noted that appellant had "failed to keep four scheduled medical appointments for [K.T.]" The court also ordered appellant to, among other things, maintain appropriate housing, ensure the children's needs were met, and continue cooperating with the Department. On November 12, 2008, the Order of Protective Supervision was rescinded after the court found that the children's needs were being met.

In January of 2013, appellant's case manager went to appellant's home to complete a "safety check," at which time the case manager observed appellant experiencing a "psychotic episode" and "threatening to kill the landlord[.]" Appellant also indicated that "she did not care if she died or the [Children] died." It was further noted that appellant had "a history of mental health issues" and that she had "a history of becoming volatile" and "making threats of wanting to harm herself and her children." Appellant was immediately hospitalized for psychiatric treatment and diagnosed with bipolar disorder and borderline personality disorder.

On or about January 22, 2013, the court determined that "continued residence in [appellant's] home is contrary to the welfare of [D.B. and K.T.]" and that "safety issues exist due to [appellant's] threats to harm herself and the children." The court ordered temporary custody of D.B. and K.T. to Tandy B. The court also determined that D.C., who had been

born two years' prior, was to be placed in shelter care under the limited guardianship of the Department.[4]

On or about March 18, 2013, the court held an adjudicatory hearing regarding D.C. The court found that appellant had "a history of mental health issues and [had] been hospitalized on two occasions this year" and that appellant had several "mental health related" episodes that were reported to the Department. The court also found that appellant had "a history of unstable housing." The Department reported that appellant had failed to complete drug treatment despite a history of illicit drug abuse and had not kept up with D.C.'s medical care. Nevertheless, the court found good cause to delay the disposition hearing because "further investigation [was] needed." In the meantime, the court ordered D.C. to be under the care and custody of appellant, to be supervised by Tandy B.

On or about April 18, 2013, the court held a contested disposition hearing for D.C. and a contested review hearing for D.B. and K.T. The Court Appointed Special Advocates of Baltimore ("CASA") reported that appellant had "not been compliant with her therapy or her medication."[5] As a result, the court rescinded the Children's temporary custody arrangements and awarded custody to the Department, with a permanency plan of eventual

[4]At the time, the court was unable to locate D.C.'s father.

[5]CASA provides volunteers who are appointed to individual children by the Baltimore City Juvenile Court. These volunteers monitor the child's well-being and provide written reports to the court.

reunification with appellant. D.B. and D.C. were placed with a foster parent, and K.T. was placed with her paternal grandparents.

At this time, appellant began regular visits with the Children under the supervision of the Department. Unfortunately, appellant's relationship with the Children remained strained, and CASA indicated that the Children "are reticent to admit that they are scared of their mother." CASA reported that, during one supervised visit, appellant "appeared to be agitated" and was "very combative with [the Department] and CASA when asked not to have [the] children stand and block the view of [the Department] monitoring their visit." CASA also overheard appellant tell K.T.: "You will not see your grandparents ever again when I get you back in my possession."

In December 2013, CASA reported that appellant's "continued mistrust and anger towards her treatment team...has become a barrier to her overall therapeutic process." Prior to this time, appellant was receiving mental health therapy through Mosaic Community Services ("Mosaic"), but appellant was "discharged from her Mosaic Community Services Mobile Treatment Team, effective 10/23/2013...with the recommendation of mental health service at an outpatient setting." Mosaic reported that appellant blamed "her treatment team for her children being in foster care and her losing her public housing."

In February of 2014, appellant began receiving mental health treatment from Asia Al-Mateen, a licensed clinical professional counselor. Based on what she observed during their weekly therapy sessions, Ms. Al-Mateen concluded that appellant's diagnosis of bipolar

disorder and schizoaffective disorder "no longer applied." Ms. Al-Mateen also determined that appellant did not need medication because "what she is experiencing cannot be remedied or minimized or reduced by medication." Ms. Al-Mateen admitted that her conclusions were based almost entirely on information provided by appellant, which Ms. Al-Mateen believed to be true.[6] Ms. Al-Mateen also admitted that she could not prescribe medication or even "diagnose whether or not someone needs a referral for medication." She also admitted that she did not consult with any colleagues regarding appellant's case, nor did she contact Mosaic to discuss appellant's prior diagnosis.

In May of 2014, CASA reported that appellant had missed three scheduled visits with the Children between January and February of 2014 and that K.T. was "disappointed" with appellant for being absent. CASA reported that "after a visit with [appellant], the children are upset, especially [K.T.]" and that K.T. "wants to remain in her grandparent's care." CASA recommended that visits between appellant and the Children continue, but that said visits continue to be supervised because appellant's "behaviors threaten the children and instill fear more than trust."

[6]Appellant told Ms. Al-Mateen that she was discharged from Mosaic "for completing everything," that she had never been on medication, that she never threatened to harm the Children, and that she went to the hospital for a medical reason and "woke up" in the psychiatric ward. Ms. Al-Mateen also testified that she did not know about appellant's history with Child Protective Services, that she was unaware of any safety issues between appellant and the Children, and that she believed there were "no barriers to reunification."

In June of 2014, the court conducted a consultation with the Children regarding their current situation, during which D.B. (then eleven years old) indicated that she wished to remain in her current placement. Following the consultation, appellant approached D.B. outside of the courtroom and yelled "why the F-ck did you tell them you were doing good." Appellant also told D.B. that if she told the court she was doing well, she would not get to go back home. Appellant continued yelling, at which time the court deputy intervened.

In July of 2014, the Department referred appellant to Family Parenting Together, a parenting class. The program contacted appellant, and appellant attended a few classes, but she failed to complete the course. According to the Department, appellant has never completed any parenting classes. The Department also reported providing appellant with a list of potential housing, but appellant was unable to secure anything due to her lack of income.

In August of 2014, CASA reported that "supervised visits continue for all three children" but that appellant's "participation is sporadic." CASA indicated that, as of August 8, 2014, appellant had not signed a Service Agreement with the Department. CASA also reported that a recent complaint filed with Child Protective Services regarding D.C., which was ultimately resolved without action, may have been instigated by appellant "in an attempt to disrupt the children's placement and regain control of her children," a tactic that appellant had allegedly used in the past. CASA then concluded that the current permanency plan of reunification should be changed to placement with a relative for

adoption/guardianship because allowing "the children to linger in care is not in their best interests nor is it helpful to promise the children a permanent home with [appellant,]" who was "no closer" to a "stable home" than when the process began "20 months ago." On August 27, 2014, the court adopted CASA's recommendations and ordered the Children's permanency plans changed.

Although supervised visits continued for the Children, by August of 2014, appellant's participation in the visits had stopped. CASA reported that appellant's "non-appearance has had a positive effect on the children." CASA also reported that the "conditions which the court established with [appellant] have yet to be completed." CASA indicated that appellant "remains homeless and unemployed" and that it "has not been able to make contact with her." CASA noted that appellant "has not completed the parenting classes" and that she had yet to sign a service agreement with the Department.

In October of 2014, the Department provided appellant with a "Case Plan for Children in Out-of-Home Care." In it, the Department outlined specific tasks that appellant was required to complete, including: obtaining appropriate housing, attending and completing parenting classes, attending and complying with mental health treatment, and visiting with the Children monthly. As of January 2015, the Department was unable to verify whether appellant had met any of these goals.

Ms. Al-Mateen testified that she and appellant met for therapy sessions "weekly," although she did admit that she had not seen appellant in person since December of 2014.

As of January 2015, appellant's therapy had become "basically case management" and the sessions were about "getting things done, making phone calls[.]" Prior to this time, the Department had been in telephone contact with Ms. Al-Mateen and had received documents from her; however, when the Department attempted to contact Ms. Al-Mateen in January of 2015 regarding appellant's case, Ms. Al-Mateen refused to speak with the Department.[7]

By February of 2015, the prescribed monthly visits between appellant and the Children had been suspended, and CASA reported that it "has had no contact with [appellant]" and that appellant "has not seen or contacted her children since October 2014." CASA also reported that all three children "thrive in the care of their respective caregivers." D.B., who was eleven years old at the time, had "settled well into her home and in her relationship with her foster parent" and was receiving "rave reviews from her teachers." K.T., who was eight years old at the time, "flourishes in the care of her paternal grandparents," while D.C., who was enrolled in Pre-K, received marks of either "excellent" or "proficient" from his teachers. According to CASA, none of the children expressed a strong desire to live with appellant, although D.B. did tell the Department that she "wants to go home" and live with appellant.

Appellant testified that, as of March 2015, she was working "with a temp agency" but that this arrangement was "like on and off." The last time appellant worked for the temp

[7] The Department's caseworker, Chinyere Okiyi, testified: "I just introduced myself. She hung the phone on me, and I called back and left her a message."

agency was November 13, 2014. Other than that, appellant has no other source of income. Appellant also indicated that she was "basically homeless."

Regarding her failure to visit with the children, appellant testified that the Department was supposed to provide bus passes or tokens but that it inexplicably stopped providing this assistance. The Department insisted that it "always" had bus passes for appellant. In fact, on several occasions appellant was offered a bus token or a bus pass and she refused. After one such refusal, appellant was asked by the Department how she would manage to get to the next visit, and appellant responded: "That's [the Department's] problem, not mine."

At the conclusion of the *de novo* exceptions hearing, the court made the following findings:

> The parent...that was most concerning to me, as I'm sure everybody would understand was [Appellant]. And if there was any tragedy in this case, and I believe it is, it is that [Appellant] was connected with a therapist as the Department requested but that therapeutic process had failed...
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> So it wasn't a failure of the Department to make referrals. It wasn't a failure of the Department to do things and really it wasn't even a failure of [Appellant] to go to therapy, but that unfortunately the therapist who was chosen and with whom [Appellant] was comfortable was not in a therapeutic relationship with her, and so no therapy was happening and that's the failure.
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> ...So it is clear to me that those children cannot be reunited with [Appellant], at least they couldn't at that point. And I would not make a recommendation for reunification with [Appellant] at all until [Appellant] was in an effective therapeutic relationship as opposed to the friend relationship that she was in with her therapist.

On August 14, 2015, the court ordered a change in the Children's permanency plan from reunification with appellant to placement with a relative for adoption or custody and guardianship and made the following findings:

> Each [child] is doing well in their current placement. Each child has had timely and appropriate medical and dental care....Each child has educational stability...The Court had an opportunity to consult with each [child]. Each [child] has an attachment to their current placement and caregiver.
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> * * *
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> As of the date of the hearing, [Appellant] continued to be homeless. She had not visited with the children for several months. [Appellant] was referred to Family Parenting Together. Although she attended some classes, she has not provided documentation that she has successfully completed those classes. [Appellant] has not provided documentation that she is employed or engaged in an educational or training program....[Appellant] expressed her distress that since August, 2014 the Department offered her bus tokens instead of monthly bus passes. She has refused to accept the bus tokens. The court concludes that [Appellant] has not been able to comply with the terms of her Service Agreement with the Department.
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> [Appellant] was referred for mental health services as a result of the crisis which brought the children into care and caused [Appellant] to be hospitalized for mental health services...
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> * * *
>
> The Department has made reasonable efforts to meet the educational, medical, dental and therapeutic needs of the children...The Department has negotiated a Service Agreement with [Appellant]. [Appellant] has not been in compliance with the terms of the service agreement...The children have been in care continuously for at least the past 15 months.

> Continuation of the Orders of Commitment to the Department of Social Services is both necessary and appropriate...[Appellant] is entitled to monthly supervised visitation with the [children] as arranged by the [Department].

STANDARD OF REVIEW

Appellate review of a juvenile court's decision regarding child custody involves three interrelated standards. First, any factual findings made by the juvenile court are reviewed for clear error. *In re Yve S.,* 373 Md. 551, 586 (2003). Second, any legal conclusions made by the juvenile court are reviewed *de novo*. *Id.* "Finally, 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, 234 (1977).

DISCUSSION

Appellant contends that the juvenile court erred in finding that the Department made reasonable efforts in facilitating reunification between her and the Children. Appellant argues that the Department denied her appropriate services by selecting "an inappropriate therapist" and "denying her access to the more flexible resource of bus passes and restricting her tokens." Appellant also contends that the juvenile court erred in changing the Children's permanency plans from reunification with appellant to placement with a relative for adoption or custody and guardianship. Appellant argues that the trial court failed to consider the requisite statutory factors when rendering its decision and abused its discretion in determining that it was in the Children's best interest to change the permanency plans.

The State counters that the Department made reasonable efforts at facilitating a reunion between appellant and the Children, but that appellant's "actions and unavailability frustrated [the Department's] efforts." The State maintains that appellant failed to attend visits with the Children, refused bus passes and tokens offered by the Department, provided inaccurate information to her therapist, failed to complete parenting classes, and failed to address "her poor relationship with her children." In addition, the State avers that the juvenile court properly exercised its discretion in "determining that it was in the Children's best interest to forego a plan of reunification" with appellant.

I.

Reasonable Efforts by Department

"When a child is declared CINA and removed from the home, the court 'must hold a permanency plan hearing to determine the permanency plan for [the] child.'" *In re Shirley B.,* 191 Md. App. 678, 706 (2010) (internal citations omitted). "The permanency plan is an integral part of the statutory scheme designed to expedite the movement of Maryland's children from foster care to a permanent...arrangement." *In re Damon M.,* 362 Md. 429, 436 (2001). "[W]hen the plan is reunification, there necessarily is, on the part of the court and, certainly, the parent, an expectation...that the parent will regain custody." *Id.* In these instances, Maryland law dictates that the Department "make 'reasonable efforts' in support of a permanency plan of parental reunification[.]" *In re James G.,* 178 Md. App. 543, 570

(2008). In general, when the Department fails to make reasonable efforts in support of reunification, the juvenile court should extend the reunification period. *Id.* at 605.

In determining whether the Department has made "reasonable efforts" in facilitating reunification, the juvenile court must consider "the timeliness, nature, and extent of the services offered by [the Department] or other support agencies[.]" *In re Adoption/Guardianship of Rashawn H.,* 402 Md. 477, 500 (2007).[8] The court must also consider any agreements between the Department and the parent, as well as "the extent to which both parties have fulfilled their obligations under those agreements[.]" *Id.* Finally, the court must determine "whether additional services would be likely to bring about a sufficient and lasting parental adjustment that would allow the child to be returned to the parent." *Id.* In addition, the "reasonableness" of the Department's efforts in providing services is dependant upon the circumstances of each individual case, with the onus being on the Department to properly tailor the services to the individual parent's needs. *In re Adoption/Guardianship Nos. J9610436 and J9711031,* 368 Md. 666, 700 (2002).

"There are some limits, however, to what the State is required to do." *In re Adoption/Guardianship of Rashawn H.,* 402 Md. at 500. The Department is not required to provide reasonable assistance indefinitely, particularly when the parent exhibits "an inability

[8] Although *In re Adoption/Guardianship of Rashawn H.* was decided in the context of a court's decision to terminate parental rights, we have stated that the Court's analysis is applicable in the context of a court's decision to alter a child's permanency plan. *In re James G.,* 178 Md. App. at 586.

or unwillingness to provide minimally acceptable shelter, sustenance, and support for [the children]." *Id.* at 501. In other words, although the Department must provide reasonable assistance, "its duty to protect the health and safety of the children is not lessened and cannot be cast aside if the parent, despite that assistance, remains unable or unwilling to provide appropriate care." *Id.* at 500-501.

In the present case, appellant contends that the Department's selection of Ms. Al-Mateen as her therapist was "inappropriate," as it hindered her ability to get the requisite mental health treatment. Appellant also contends that the Department failed to provide reasonable transportation assistance when it refused her access to bus passes and tokens. Appellant asserts that, because of these two "failures" on the part of the Department, the juvenile court's finding that the Department made reasonable efforts at reunification was clearly erroneous.

We disagree. To begin with, appellant's claim that the Department was responsible for the selection of Ms. Al-Mateen is not supported by the record. On the contrary, the juvenile court specifically found that the Department had nothing to do with the selection of Ms. Al-Mateen as appellant's therapist, a finding that is supported by Ms. Al-Mateen's testimony.[9] In fact, when Mosaic discharged appellant from therapy in October 2013,

[9]When asked when she first had contact with the Department, Ms. Al-Mateen responded: "Probably almost immediately, letting them know that I was her therapist."

appellant was referred to a different therapy team, Optimum Health. For whatever reason, appellant ignored this referral and began seeing Ms. Al-Mateen in February 2014.

More to the point, the juvenile court correctly concluded that any failure in appellant's mental health treatment was not a result of the Department's failure to make referrals. For roughly two years the Department did its part in ensuring that appellant was receiving mental health treatment, first by referring her to Mosaic Community Services and then by confirming with Ms. Al-Mateen, a licensed therapist, that appellant was in therapy. *See In re James G.,* 178 Md. App. at 601 ("[T]he Department's efforts need not be perfect to be reasonable...[but instead] must adequately pertain to the impediments to reunification."). To blame the Department for a lack of therapeutic progress in this case would place an undue burden on the Department, particularly in light of the fact that appellant was unwilling to address in therapy the issues that warranted the Department's involvement in the first place. In short, although one purpose of the CINA statute is to hold the Department responsible for providing services to assist the parent, an equally important purpose is to hold the parent "responsible for remedying the circumstances that required the court's intervention[.]" Md. Code, Courts and Judicial Proceedings, § 3-802(a)(4).

As to appellant's claim that the Department "denied" her access to transportation, this allegation was directly refuted by the Department, which testified that transportation assistance was readily available for appellant. That the juvenile court accepted this testimony over appellant's does not render the court's conclusion clearly erroneous. *See Green v.*

Taylor, 142 Md. App. 44, 56 (2001) ("Determining the credibility of witnesses is a task for the finder of fact, and in the absence of clear error, we will not disturb this factual finding on appeal."). Because we find no clear error in the juvenile court's reliance on the Department's testimony, we therefore find no error in the court's conclusion that the Department's efforts in providing assistance to appellant were reasonable.

II.

Changes in Permanency Plans

As discussed above, when the juvenile court is developing a permanency plan for a child declared CINA, the court's primary consideration is always the best interests of the child. Md. Code, Family Law, § 5-525(e)(1). Consequently, a juvenile court may alter a permanency plan if such a change is in the child's best interests. *In re Damon M.,* 362 Md. at 436. This includes changing a permanency plan from one of reunification with the parent to one of placement with a relative for adoption or custody and guardianship. *Id.* Before such a change can be made, however, the court is required to consider the statutory factors outlined in Md. Code, Family Law, § 5-525(f)(1). *See* Md. Code, Courts and Judicial Proceedings, § 3-823. These factors include the child's ability to be safe and healthy in the parent's home, the child's attachment to the parent and current caregiver, the length of time the child has resided with the current caregiver, the potential harm to the child if removed from current placement, and the potential harm to the child in remaining in State custody. Md. Code, Family Law, § 5-525(f)(1).

In the present case, appellant maintains that the juvenile court failed to consider the above statutory factors before changing the Children's permanency plans from reunification to placement with a relative for adoption/guardianship. More specifically, appellant argues that the court erred in failing to make an on-the-record determination as to each of the above factors. According to appellant, this failure by the court was "reversible error."

Appellant is mistaken. When a juvenile court is tasked with establishing or altering a child's permanency plan, the juvenile court need only *consider* the statutory factors listed above. Md. Code, Courts and Judicial Proceedings, § 3-823. Nowhere in this requirement is it stated that the court must make an on-the-record factual finding as to each factor, and appellant has offered no case law to justify such a position.[10] Instead, our review of the juvenile court's decision is guided by the more general "presumption of judicial correctness." *Cobrand v. Adventist Healthcare, Inc.,* 149 Md. App. 431, 445 (2003) (a trial judge is presumed to know the law and to have performed his duties properly). This presumption includes the proposition that "a trial judge's failure to state each and every consideration or factor in a particular applicable standard does not, absent more, constitute an abuse of

[10]Although appellant does cite *In re Adoption of Victor A.,* 157 Md. App. 412 (2004) in support, such reliance is erroneous, as our holding in that case was decided in the context of a petition for termination of parental rights. *Id.* at 437 ("Thus, the applicable statute has been construed to require express findings of fact with regard to each statutory factor, before a decision granting a **petition to terminate parental rights** may be sustained.") (quoting *In re Adoption/Guardianship No. 95195062,* 116 Md. App. 443, 460-61 (1997)) (Emphasis added).

discretion, so long as the record supports a reasonable conclusion that appropriate factors were taken into account in the exercise of discretion." *Id.*

Under this standard, we cannot say that the juvenile court abused its discretion. Evidence was adduced at trial regarding appellant's inability to provide a safe and healthy home for the Children and the Children's general lack of attachment to appellant. The court also heard testimony regarding the Children's current placements and the effect these placements were having on the Children. Most importantly, the juvenile court's findings indicate that the court considered the Children's best interests before rendering its decision, which according to Md. Code, Family Law, § 5-525(f)(1) is the "primary consideration[.]" *Id.* As such, the record supports a reasonable conclusion that the juvenile court considered the appropriate factors, and, absent more, the court did not abuse its discretion by failing to make specific findings as to each factor.

Appellant avers that, even if the juvenile court did not err in failing to make specific factual findings, the court still abused its discretion in determining that a change in the Children's permanency plans was in their best interest. Appellant insists that D.B. was "steadfast in her desire to return home" and that the court's disregard of D.B.'s desires "would likely result in 'foster care drift.'" Appellant also maintains that she "demonstrated a genuine commitment to reunification," yet the court inexplicably changed D.C.'s permanency plan to reunification with his father, even though his father had "demonstrated no such commitment." Lastly, appellant argues that the court's new permanency plan had

not afforded K.T. "an opportunity to maintain contact with her siblings" and that appellant was the "only individual who could keep this family together[.]"

Before discussing the merits of appellant's claims, we find it prudent to note that, in general, our review of a trial court's decision for abuse of discretion is highly deferential. *See Sumpter v. Sumpter,* 436 Md. 74, 82 (2013) ("Discretionary trial court matters are 'much better decided by the trial judges than by appellate courts[.]'") (internal citations omitted). Such deference is no different in the context of a trial court's decision to change a child's permanency plan. *In re Andre J.,* 223 Md. App. 305, 323 (2015) ("A trial court's exercise of discretion in changing a permanency plan will be reversed if the court's decision is 'well removed from any center mark imagined by the reviewing court and beyond the fringe of what that court deems minimally acceptable.'") (internal citations omitted). As such, a juvenile court does not abuse its discretion simply because other rational minds may reach different conclusions based on the evidence presented; instead, "an abuse of discretion exists 'where no reasonable person would take the view adopted by the [trial] court, or when the court acts without reference to any guiding rules or principles.'" *Id.* (internal citations omitted).

In the present case, the court reasonably concluded that appellant's unaddressed mental health issues made reunification contrary to the Children's best interests. The court found this particularly troublesome based on the fact that appellant had a history of threatening to kill the Children. The court also reasonably concluded that a recommendation

of reunification with appellant would not be possible unless appellant was in an effective therapeutic relationship. The court also noted appellant's failure to comply with the terms of her Service Agreement, including her failure to secure stable housing and employment, as being significant in its decision to alter the Children's permanency plan. In light of these findings, we hold that the juvenile court did not abuse its discretion in changing the Children's permanency plans.

JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE CITY AFFIRMED. COSTS TO BE PAID BY APPELLANT.