



Based on these findings, the court found that a substantial change in circumstances had occurred based on stagnation. See In re D.M., 2004 VT 41, ¶ 5, 176 Vt. 639 (stagnation may be found if the parent has not made the progress expected in the plan of services despite the passage of time). The court further concluded that termination was in the best interests of the child, noting that any bond between father and child was limited; and that L.P. had been abused, had observed domestic violence, and had been virtually abandoned for several months when father left for Florida. With respect to the most important criterion, father's ability to resume parental responsibilities within a reasonable period of time, the court noted that father had failed to pursue services to develop any parenting abilities or effect any meaningful progress in the areas of domestic abuse and anger management, so that he could provide a safe and secure home. Father had played no constructive role in the child's life, and continued to put his own needs ahead of the child's. The court thus concluded that there was no reasonable likelihood father could resume parental responsibilities within a reasonable period of time. Finally, the court noted that L.P. was three and a half years old at the time of the hearing, and had spent more than half of her life in DCF custody, with a foster family with whom she was closely bonded. Accordingly, the court concluded that termination of father's parental rights was in the best interests of the child, and granted the State's petition. This appeal follows.

Father challenges none of the factual findings set forth above. Rather, he contends the court's analysis was "clouded by confusion" and "consideration of extraneous factors" in three respects. First, he cites the court's statement that father's ability to parent "has deteriorated and stagnated," arguing that it is unclear from the statement whether his parenting abilities had worsened or merely remained the same or improved slightly, thus "engender[ing] confusion" as to how long father would need to improve. The court's ultimate conclusion was that "[t]he State has proven by clear and convincing evidence that stagnation exists and that therefore there has been a substantial change in material circumstances." Furthermore, the court's overall findings make it clear that, although father had engaged in some services, he had made little or no progress in acquiring the abilities and insight expected in the case plan of services. Accordingly, we perceive no confusion or uncertainty in the court's findings and conclusions.

Next father contends that the court's findings concerning the child's bonding to her foster parents, who hoped to adopt L.P., raise a question as to whether its decision was clouded by an improper "sense of urgency that may result when [DCF] places children in need of care and supervision in a potential adoptive home." In re M.M., 159 Vt. 517, 524 (1993). The child's positive relationship with her foster family was a proper consideration in determining the child's best interests, however, and nothing in the court's findings or conclusions suggests that it was improperly influenced by the foster parents' interest in adoption. See id. at 525 (holding that court did not err in considering positive relationship with foster parents while cautioning that intent of statutes was not "societal restructuring"). Accordingly, we discern no error.

Finally, father contends that in citing federal law requiring permanency placements for children in lengthy foster care placements, the trial court did not focus on the individual child in question. Nothing in the court's passing reference to federal law supports such an inference, which is otherwise completely inconsistent with court's detailed and extensive findings concerning L.P.'s specific history, relationships, and circumstances. We perceive no error that would warrant disturbing the court's judgment.

Affirmed.

BY THE COURT:

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Paul L. Reiber, Chief Justice

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John A. Dooley, Associate Justice

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Denise R. Johnson, Associate Justice