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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA18-362

Filed: 2 October 2018

Guilford County, Nos. 15 JT 314-16

IN THE MATTER OF: N.J.Y., Jr., A.Y, C.L.

Appeal by Respondent from order entered 18 December 2017 by Judge Angela C. Foster in District Court, Guilford County. Heard in the Court of Appeals 13 September 2018.

*Mercedes O. Chut for Petitioner-Appellee Guilford County Department of Health and Human Services.*

*J. Thomas Diepenbrock for Respondent-Appellant Mother.*

*Manning, Fulton & Skinner, P.A., by Michael S. Harrell, for Guardian ad Litem.*

McGEE, Chief Judge.

Respondent, the mother of N.J.Y., Jr., A.Y., and C.L. (collectively, “the juveniles”), appeals from an order terminating her parental rights. We affirm.

I. Background

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Respondent's history with Child Protective Services ("CPS") of the Guilford County Department of Health and Human Services ("DHHS") dates back to 2009.<sup>1</sup> DHHS received CPS reports concerning, *inter alia*, alleged substance abuse by Respondent; improper supervision of and medical care for the juveniles; Respondent's mental health; and unstable housing. Respondent and the juveniles' father ("the father")<sup>2</sup> (collectively, "the parents") also have a history of family violence. DHHS received a report on 30 March 2011, after law enforcement responded to a 911 call at Respondent's residence for family violence, stating the father punched Respondent in her left eye and on the left side of her forehead. The report further alleged there had been ongoing violence between Respondent and the father for more than a year. Law enforcement responded to another alleged assault at Respondent's residence on 24 August 2011 and observed bruising on Respondent's face and arm. A police report noted Respondent had a domestic violence protective order against the father, but indicated the parents continued to cohabitate. Respondent later went to a hospital where she reported that the father struck her several times on her face with a closed fist.

DHHS received a CPS report on 20 November 2014 stating that the parents had reunited but lacked adequate housing. DHHS received another CPS report on

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<sup>1</sup> Respondent has three other children who are not part of this proceeding.

<sup>2</sup> The father's parental rights were also terminated in this matter, but the father has not appealed the trial court's order and is not a party to the present appeal.

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20 February 2015 stating that one of the juveniles had been taken to the emergency room for a “yanking injury” that resulted in a partial dislocation of his arm. Respondent completed a DHHS substance abuse assessment and was diagnosed with post-traumatic stress disorder, major depressive disorder, and cannabis abuse. The 20 November 2014 and 20 February 2015 CPS reports were substantiated for neglect due to an injurious environment on 24 July 2015.

Respondent’s case was transferred to in-home services and assigned to a case worker “due to domestic violence in the home, instability, mental health issues[,] and substance abuse.” Respondent signed a case plan on 31 July 2015 in which she agreed to (1) not allow any contact between the juveniles and the father; (2) cooperate with individual counseling for one of the juveniles and address behavioral concerns; (3) provide proper care and supervision of the juveniles; (4) attend domestic violence counseling; (5) complete substance abuse therapy and comply with all recommendations, including random drug testing; and (6) engage in mental health therapy and follow all recommendations, including medication and further psychiatric evaluation.

DHHS received a report on 1 October 2015 indicating that Respondent, who was pregnant, had again been assaulted by the father. According to the report, Respondent drove herself to a hospital on 30 September 2015 and was “bleeding profusely upon arrival.” Respondent underwent an emergency C-section and

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delivered her baby at twenty-five weeks' gestation. After the delivery, Respondent was transferred to a different hospital where she was treated and put on a ventilator. A responding law enforcement officer observed that Respondent "ha[d] some bruising around her right eye." The officer obtained warrants against the father for assault inflicting serious injury and assault inflicting serious injury on an unborn child. The father was later incarcerated.<sup>3</sup>

A DHHS social worker interviewed Respondent at the hospital on 1 October 2015. According to the social worker, Respondent denied having been assaulted by the father. Respondent stated the father had come to her residence on 30 September 2015 to drop off money and diapers, and that the father may have "accidentally" hit her in the face while trying to control one of the juveniles, who Respondent reported had "violent and aggressive behavior issues." Respondent stated "she [knew] for certain [that] no one hit her in the stomach." Respondent also stated the premature birth was due to complications she had experienced throughout her pregnancy. Respondent acknowledged she had violated the safety plan by allowing the father into her home with the juveniles present. Respondent also admitted she had stopped taking her mental health medication because it made her "feel weird."

DHHS filed petitions on 8 October 2015 alleging the juveniles were neglected and dependent juveniles, based upon concerns about Respondent's ability to protect

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<sup>3</sup> The father testified at the termination hearing that he was incarcerated from October 2015 through March 2017.

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the juveniles, Respondent's failure to follow her case plan, and the juveniles' repeated exposure to family violence. The trial court entered orders granting DHHS non-secure custody of the juveniles the same day. Respondent entered a case plan with DHHS on 2 November 2015. The trial court held an adjudication and dispositional hearing on 10 December 2015. Respondent stipulated to the allegations in the DHHS petitions and consented to adjudications of dependency and neglect. The trial court entered an order adjudicating the juveniles as neglected and dependent juveniles on 6 January 2016. The court adopted a plan of reunification and ordered Respondent to comply with her case agreement to address issues regarding her mental health, housing, parenting skills, employment, and substance and alcohol abuse. Respondent was ordered to attend all scheduled visitation with the juveniles, and to continue paying fifty dollars per month in child support pursuant to a voluntary child support agreement.

The trial court held permanency planning review hearings on 3 March 2016, 26 May 2016, 10 November 2016, 2 February 2017, and 25 May 2017. After the 3 March 2016 hearing, the trial court entered an order on 28 April 2016 amending the permanent plan to reunification with a concurrent plan of adoption.<sup>4</sup> After the 26 May 2016 hearing, the trial court entered an order on 5 July 2016 finding Respondent, *inter alia*, (1) was not in compliance with her medication management;

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<sup>4</sup> The trial court noted in its 28 April 2016 order that DHHS "request[ed] that a concurrent plan of adoption be added [in order] to comply with [] new statut[ory] requirements."

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(2) had not consistently attended substance abuse treatment or individual counseling; (3) tested positive for marijuana on 2 March 2016; (4) had not obtained stable housing; (5) had not provided any verification of employment; (6) owed \$4,229.19 to the State of North Carolina for continuing to receive food stamp benefits for the juveniles after they were removed from her home; (7) missed nine of the last nineteen visits with the juveniles; (8) was not current with her child support payments; (9) used a different name and address to contact the father while he was in prison; and (10) recently called law enforcement on two separate occasions to report domestic disputes with her new boyfriend, although she did not notify DHHS or seek a domestic violence protective order. Respondent also had pending criminal charges for traffic violations. The trial court changed the permanent plan for the juveniles to adoption with a concurrent plan of reunification. It ordered DHHS to initiate an action for termination of parental rights (“TPR”).

DHHS filed a petition to terminate Respondent’s parental rights on 2 September 2016 on the grounds of neglect, failure to make reasonable progress, and failure to pay child support. See N.C. Gen. Stat. §§ 7B-1111(a)(1)-(3) (2017). However, when Respondent subsequently began making progress on her case plan, DHHS and the guardian *ad litem* requested that the trial court stay the termination proceeding. The trial court entered an order on 20 December 2016 that continued the permanent plan of adoption with a concurrent plan of reunification but stayed the

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TPR action. After a hearing on 25 May 2017, the trial court entered an order on 3 August 2017 finding that Respondent was not taking her mental health medication as prescribed; had missed multiple substance abuse and therapy appointments; and had recently tested positive for cocaine. Based on Respondent's "recent positive drug screen[], poor decisions, dishonesty with [DHHS] and/or [other] service providers, and [] recent lack of compliance with her service agreement[,]” the trial court lifted the stay on the TPR action and authorized DHHS to proceed with the petition to terminate Respondent's parental rights.

Following a hearing on 2 October 2017, the trial court entered an order on 18 December 2017 in which it determined that grounds existed to terminate Respondent's parental rights pursuant to N.C. Gen. Stat. §§ 7B-1111(a)(1), (2), and (3). After further concluding it was in the juveniles' best interests that Respondent's parental rights be terminated, the trial court terminated Respondent's parental rights. Respondent appeals.

II. Termination of Respondent's Parental Rights

A. *Standard of Review*

A proceeding to terminate parental rights is a two [-]step process with an adjudicatory stage and a dispositional stage. A different standard of review applies to each stage. In the adjudicatory stage, the burden is on the petitioner to prove by clear, cogent, and convincing evidence that one of the grounds for termination of parental rights set forth in N.C. Gen. Stat. § 7B-1111(a) exists.

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*In re C.C.*, 173 N.C. App. 375, 380, 618 S.E.2d 813, 817 (2005) (citations omitted); *see also In re D.R.B.*, 182 N.C. App. 733, 735, 643 S.E.2d 77, 79 (2007) (“Clear, cogent, and convincing describes an evidentiary standard stricter than a preponderance of the evidence, but less stringent than proof beyond a reasonable doubt.”). “The standard of appellate review is whether the trial court’s findings of fact are supported by clear, cogent, and convincing evidence and whether the findings of fact support the conclusions of law.” *In re D.J.D.*, 171 N.C. App. 230, 238, 615 S.E.2d 26, 32 (2005) (citation omitted). We review the trial court’s conclusions of law *de novo*. *See In re S.N.*, 194 N.C. App. 142, 146, 669 S.E.2d 55, 59 (2008).

If the petitioner meets its burden of proving at least one ground for termination of parental rights exists under N.C. Gen. Stat. § 7B-1111(a), the [trial] court proceeds to the dispositional phase and determines whether termination of parental rights is in the best interests of the child. The standard of review of the dispositional stage is whether the trial court abused its discretion in terminating parental rights.

*In re C.C.*, 173 N.C. App. at 380-81, 618 S.E.2d at 817 (citation omitted); *see also In re Blackburn*, 142 N.C. App. 607, 610, 543 S.E.2d 906, 908 (2001) (noting that “[o]nce one or more grounds for termination are established, the trial court . . . *shall* issue an order terminating the parental rights unless it further determines that the best interests of the child require otherwise.” (citations omitted) (emphasis added)). This Court “will reverse a [trial] court’s [best interests] decision only where it is manifestly



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unsupported by reason.” *In re L.M.T.*, 367 N.C. 165, 171, 752 S.E.2d 453, 457 (2013) (citations and internal quotation marks omitted).

*B. Analysis*

In the present case, Respondent argues the trial court erred by terminating her parental rights on the ground of neglect. Specifically, Respondent challenges certain findings of fact as unsupported by clear and convincing evidence. She further contends the findings were insufficient to support the trial court’s ultimate finding and conclusion that “it [was] likely that [Respondent’s] neglect [would] continue in the future.” We disagree.

N.C. Gen. Stat. § 7B-1111 sets forth the statutory grounds for terminating parental rights. A finding of any one of the enumerated grounds is sufficient to support termination. *In re Taylor*, 97 N.C. App. 57, 64, 387 S.E.2d 230, 233-34 (1990). Here, the trial court concluded several statutory grounds existed to terminate Respondent’s parental rights, including Respondent’s neglect of the juveniles. *See* N.C. Gen. Stat. § 7B-1111(a)(1) (2017). “Neglected juvenile” is defined as

[a] juvenile who does not receive proper care, supervision, or discipline from the juvenile’s parent, guardian, custodian, or caretaker; or who has been abandoned; or who is not provided necessary medical care; or who is not provided necessary remedial care; or who lives in an environment injurious to the juvenile’s welfare; . . . or who has been placed for care or adoption in violation of law.

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N.C. Gen. Stat. § 7B-101(15) (2017). Generally, “[i]n deciding whether a child is neglected for purposes of terminating parental rights, the dispositive question is the fitness of the parent to care for the child at the time of the termination proceeding.” *In re L.O.K.*, 174 N.C. App. 426, 435, 621 S.E.2d 236, 242 (2005) (citation and internal quotation marks omitted). However, “when . . . a child has not been in the custody of the parent for a significant period of time prior to the termination hearing, requiring the petitioner in such circumstances to show that the child is currently neglected by the parent would make termination of parental rights impossible.” *Id.* at 435, 621 S.E.2d at 242 (citation and internal quotation marks omitted). “In those circumstances, a trial court may find that grounds for termination exist upon a showing of a history of neglect by the parent and the probability of a repetition of neglect.” *Id.* (internal quotation marks omitted). “The trial court must consider evidence of changed conditions *in light of the history of neglect by the parent[.]*” *In re Z.D.*, \_\_\_ N.C. App. \_\_\_, \_\_\_, 812 S.E.2d 668, 674 (2018) (citation and internal quotation marks omitted) (emphasis added).

Respondent challenges various findings by the trial court in Finding of Fact 12 that she failed to make progress on specific parts of her case plan, including the areas of housing, employment, substance abuse, mental health, parenting skills, visitation and child support, and domestic violence. In general, Respondent does not dispute

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the factual underpinnings of the findings.<sup>5</sup> Respondent instead contends the evidence did not support the trial court's findings that she failed to make adequate progress on certain parts of her case plan because *other* evidence showed she *had* made progress.

The trial court's unchallenged findings regarding Respondent's failure to make adequate progress on specific parts of her case plan included the following:

[12.]c. Substance Abuse: . . . [Respondent] tested positive for an illegal substance on April 18, 2016. She tested positive for marijuana on that date and thereafter tested negative for all illegal substances until May 10, 2017, when she tested positive for cocaine. [Respondent] denied that she had used cocaine and stated that she took a Vicodin instead. In May 2017, Social Worker learned from the therapist that [Respondent] tested positive for cocaine in [the therapist's] office, and that she had tested positive in January 2017 as well. Her high levels indicate her use was not an isolated event.

d. Mental Health: [Respondent] submitted to a psychiatric/mental health assessment on December 30, 2015[.] She has a diagnosis of Bipolar and PTSD, and was prescribed Zoloft 50mg. On November 29, 2016, [Respondent] switched her medication management to Family Services of the Piedmont. She is . . . [also] attending Family Services of the Piedmont for individual counseling[.] [Respondent] missed several therapy

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<sup>5</sup> DHHS concedes that the trial court erroneously found, in Finding of Fact 12(b.), that Respondent had failed to provide DHHS with verification of employment. In fact, in a case plan and progress report submitted to the court at the 25 May 2017 hearing, DHHS reported it received employment verification from Respondent's employer on 15 May 2017 that indicated Respondent had been employed full-time since 27 March 2017. However, because the trial court did not rely on this erroneous finding to support its ultimate finding and conclusion of neglect, we conclude the error was harmless. *See, e.g., In re T.M.*, 180 N.C. App. 539, 547, 638 S.E.2d 236, 240 (2006) ("When . . . ample other findings of fact support an adjudication of neglect, erroneous findings unnecessary to the determination do not constitute reversible error." (citation omitted)).

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appointments in May 2017. She is also prescribed Cymbalta 30mg per day. [Respondent] submitted to random hair analysis on May 10, 2017, and results show she is not currently taking her psychotropic medication as prescribed. [The therapist at Family Services of the Piedmont] is the third therapist [Respondent] has seen. . . . Following the positive drug screen, [the therapist] recommended [Respondent] attend substance abuse groups. [Respondent] was a no show for four group sessions. She cancelled one group and rescheduled ten sessions. [Respondent] denied the use of illegal substances to [the therapist] in January 2017, despite the positive drug test. In May [2017], [Respondent] admitted to using illegal substances, as well as not taking her prescribed mental health medications.

e. Parenting Skills: [Respondent] obtained a Parenting/Psychological Evaluation from Dr. Thomas Holm, and [DHHS] received the report of that evaluation on or about March 4, 2016. Dr. Holm opined that [Respondent's] commitment to being a parent to her children is sporadic and unreliable. She has not demonstrated parenting skills on a consistent basis, and not exhibited sufficient concern regarding the detrimental effects of domestic violence in the home, and that the unhealthy aspects of her relationship with [the father] were likely to continue with her future relationships. . . .

. . . .

g. Domestic Violence: Dr. Holms reports that [Respondent] continues to struggle with parenting skills, lifestyle choices, relationships and domestic violence issues, and the ability to remain self-reliant and maintain a proper attention on the children's needs. [Respondent] failed to report at least two incidents regarding domestic violence on February 7, 2016, and March 22, 2016. The social [w]orker learned of the incidents in looking for other information. One of the incidents involved a high-speed chase and a firearm. [Respondent] has failed to take

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recommended steps regarding these domestic violence incidences including failing to file 50B protective orders. [Respondent] continues to exhibit poor decision making in her relationships and continues to not be forthcoming with [DHHS] regarding same. . . . [DHHS] remains concerned about [Respondent's] decisions on relationships.

[13.] [A social worker] was assigned to investigate prior reports involving [Respondent] and her children. [The social worker] has observed a long history where [respondent] makes progress but is unable to sustain it. [Respondent] had housing, transportation, employment and unsupervised visits with her children in this case. However, she relapsed on drugs and her car was repossessed. There have been repeated cycles of progress with relapse in which all progress has been lost.

Respondent does not challenge the substance of the above findings. *See Koufman v. Koufman*, 330 N.C. 93, 97, 408 S.E.2d 729, 731 (1991) (noting that unchallenged findings of fact are deemed supported by competent evidence and are binding on appeal). She argues these findings are insufficient because they do not reflect other evidence that supported findings of progress on her case plan. For example, with respect to substance abuse, Respondent notes that she tested negative for drugs on several occasions after her May 2017 relapse. On the issue of Respondent's mental health, Respondent contends the only relevant evidence was testimony of her mental health counselor at the 2 October 2017 termination hearing that Respondent "seem[ed] to be doing well" with her mental health at that time. Respondent also notes that she completed a domestic violence counseling program in 2016, and that there was no evidence of any known incidents involving domestic

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violence in 2017. Respondent's arguments are misplaced in that they concern the *weight* of the evidence. "If *any* competent evidence supports the trial court's findings, *even if some other evidence supports contrary findings*, the decision of the trial court must be left undisturbed." *In re E.P.*, 183 N.C. App. 301, 306, 645 S.E.2d 772, 775 (2007) (emphases added); *see also In re D.A.H.-C.*, 227 N.C. App. 489, 500, 742 S.E.2d 836, 844 (2013) (noting "the trial court is ultimately responsible for evaluating the weight and credibility to be given to the evidence.").

Respondent does not dispute that she tested positive for cocaine in January and May 2017, or that she used her mental health medication inconsistently throughout her case plan agreement, including in 2017. A DHHS social worker testified at the termination hearing that Respondent had not participated in therapy or mental health counseling "on a consistent, on-going basis[.]" and that, although Respondent self-reported being "current on her medications" at the time of the hearing, "she'll be good for a while, and then she'll fall off." Respondent's mental health counselor testified Respondent had canceled or rescheduled nine counseling sessions since September 2016. The counselor also testified Respondent had "honesty issues" and had lied about past drug use and "minimiz[ed] her [mental health] symptoms during [counseling] sessions[.]" Although the counselor stated Respondent had been participating in a substance abuse treatment program in recent months, she testified Respondent's attendance was inconsistent. Respondent had not yet

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completed the substance abuse program despite having ample time to do so. The counselor further testified she conducted a mental health assessment of Respondent on or about 25 July 2017, and, “based on the [mental health] symptoms [] [Respondent] presented[,]” the counselor recommended that Respondent “needed to continue with services, that she needed to continue with medication management, continue to attend substance abuse services, and continue to follow through on requirements of CPS and continue [] attending outpatient individual therapy.”

Respondent also does not dispute that, in addition to her history of family violence with the father, she was involved in domestic violence incidents in February and March 2016. At the termination hearing, when asked whether there was any evidence that Respondent “ha[d] an inability to protect herself or the [juveniles],” the DHHS social worker testified: “Well, there [were] the incidents that happened . . . with [Respondent’s] boyfriend, and that violence to me was worse than what occurred between [Respondent] and [the father]. This guy had a gun and was threatening to shoot her.”

The trial court’s findings that Respondent had not made adequate progress in addressing the substance abuse, mental health, and domestic violence components of her case plan were thus supported by numerous unchallenged findings of fact as well as testimony received at the termination hearing. We conclude the trial court’s findings were sufficient to show Respondent “fail[ed] to make adequate progress in

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her [case] plan” over the course of the two-year period the juveniles were in DHHS custody, including in the months leading up to the termination hearing.

The trial court made the following findings in Finding of Fact 21(b.):

[Respondent’s] neglect of the juveniles has been ongoing throughout the present in that [Respondent] is not complying with medication management, is not attending substance abuse treatment sessions consistently, is not attending visits with the children regularly, and fails to maintain honest and open communication with [DHHS]. [Respondent] has been unable to provide a stable and safe home for the juveniles. She continues to fail to address her unstable living situation and inappropriate relationships with dangerous and volatile men. [Respondent], despite having completed domestic violence classes, and being able to recite the concepts that she has learned, has, since removal [of the juveniles], continued to enmesh herself in relationships with men that she doesn’t know, and in particular [who] put her life at risk. She has not shown evidence of a proper independent home environment that would be safe for the juveniles. She has admitted that she [] consumed drugs as recently as March of 2016. In addition, [Respondent] has not established a safe, appropriate home for the juveniles to return to. Given [Respondent’s] history of neglect, failure to make adequate progress in her service plan, and failure to adequately address the issues that led to the removal of the juveniles, it is likely that [Respondent’s] neglect [of the juveniles] will continue in the future.

Respondent argues the trial court’s findings that she had “fail[ed] to make adequate progress in her service plan” and “fail[ed] to adequately address the issues that led to the removal of the juveniles” were not supported by clear and convincing evidence, because “the findings and evidence concerned incidents [that occurred] in 2016, or



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events leading up to the permanency planning hearing on 25 May 2017.” Respondent submits that, by the time of the 2 October 2017 termination hearing, she had “made meaningful progress and substantially complied with her case plan.” Respondent cites evidence that she “was continuing to maintain employment; had maintained housing for approximately one year; had not had any incidents of domestic violence during 2017; was providing clean drug screens; was engaged in substance abuse sessions; and was engaged in mental health treatment.” As discussed above, the trial court’s findings concerning Respondent’s failure to make adequate progress with respect to the mental health, substance abuse, and domestic violence issues identified in her case plan were supported by competent evidence. We are therefore bound by those findings, even assuming Respondent had “made meaningful progress and substantially complied with her case plan[]” in recent months.

The trial court’s ultimate finding, in Finding of Fact 21(b.), that “it [was] likely that [Respondent’s] neglect [would] continue in the future[]” was based on Respondent’s “history of neglect, failure to make adequate progress in her service plan, and failure to adequately address the issues that led to the removal of the juveniles[.]” Respondent does not dispute the trial court’s finding of past neglect. She argues the trial court, in finding Respondent’s past neglect of the juveniles was likely to occur in the future, erroneously failed to “consider evidence of [her] case plan

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progress and changed circumstances at the time of the termination hearing.” We disagree.

Termination of parental rights based on neglect “must of necessity be predictive in nature, as the trial court must assess whether there is a substantial risk of future abuse or neglect of a child *based on the historical facts of the case.*” *In re McLean*, 135 N.C. App. 387, 396, 521 S.E.2d 121, 127 (1999) (emphasis added). Here, the trial court was entitled to consider any changed circumstances – including Respondent’s recent case plan progress – in the context of Respondent’s longstanding pattern of neglect, both before and after the adjudication of neglect. *See In re Ballard*, 311 N.C. 708, 715, 319 S.E.2d 227, 232 (1984) (citation omitted). Given the historical facts of this case, including Respondent’s undisputed pattern of non-compliance and relapse, and her relapse mere months before the termination hearing, the trial court did not err in finding a likelihood of future neglect. *See, e.g., Smith v. Alleghany Cty. Dep’t of Social Services*, 114 N.C. App. 727, 732, 443 S.E.2d 101, 104 (holding that, although mother made recent improvements in her psychological and living conditions, trial court properly concluded future neglect was probable based on the history of the case and other factors). Moreover, the trial court’s findings concerning Respondent’s neglect of the juveniles indicate the court *did* consider contemporaneous circumstances in determining that, as of the time of the termination hearing, there was a likelihood of future neglect. For example, the trial

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court explicitly found Respondent was not *presently* “attending substance abuse treatment sessions consistently[.]” The trial court also found that Respondent was not *presently* “attending visits with the [juveniles] regularly[.]” Although Respondent correctly notes that her visits were suspended between May and October 2017, the fact that her visitation privileges were suspended *because she tested positive for cocaine* was relevant in considering the likelihood of future neglect.

III. Conclusion

The trial court’s findings of fact demonstrate Respondent failed to adequately address a number of issues identified in her case plan, including in the months leading up to the termination hearing, and further support the court’s ultimate finding that future neglect was likely under the circumstances that existed at the time of the termination hearing. Accordingly, the trial court did not err by concluding Respondent’s parental rights were subject to termination on the basis of neglect. Because the trial court’s conclusion under N.C.G.S. § 7B-1111(a)(1) alone supports the termination of Respondent’s parental rights, *see Taylor*, 97 N.C. App. at 64, 387 S.E.2d at 233-34, we do not address Respondent’s arguments regarding the additional grounds for termination. We affirm the trial court’s order terminating Respondent’s parental rights.

AFFIRMED.

Judges HUNTER, JR. and ARROWOOD concur.

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Report per Rule 30(e).