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IN RE BLAKE P.*
(AC 46465)

Cradle, Clark and Vertefeuille, Js.

Syllabus

The respondent mother appealed to this court from the judgment of the trial court terminating her parental rights with respect to her minor child. The petitioner, the Commissioner of Children and Families, filed a petition to terminate the respondent's parental rights after the child had been adjudicated neglected and committed to the petitioner's custody. The removal of the child from the home was precipitated in part by the mother's involvement in various incidents of intimate partner violence with the child's father. The Department of Children and Families, in response to court-ordered specific steps, provided the mother with numerous resources and programs. After a trial, the court concluded that reasonable efforts had been made to reunify the mother with her child and that the mother was unable or unwilling to benefit from those efforts. The court further concluded that the mother failed to achieve an adequate degree of personal rehabilitation within the meaning of the applicable statute (§ 17a-112) and that clear and convincing evidence established that termination of the mother's parental rights was in the child's best interest. *Held:*

1. The respondent mother could not prevail on her claim that the trial court erred in concluding that she had failed to achieve such a degree of rehabilitation as would encourage the belief that within a reasonable time, considering the age and needs of the child, she could assume a responsible position in her child's life:
 - a. The respondent mother's claim that the trial court's factual findings were clearly erroneous because its decision recited certain evidence as fact while disregarding other evidence was unavailing; in challenging the court's assessment of the evidence and contending that the court should have weighed the evidence differently, the mother was asking this court to reassess the evidence, or to second-guess the trial court's credibility determinations, which was not this court's role, and, although some evidence may have supported the mother's position, it was not this court's role to reexamine that evidence and substitute its judgment for that of the trial court.
 - b. The respondent mother could not prevail on her claim that the trial court's conclusion that she failed to rehabilitate was not supported by the evidence: although the mother listed several findings by the court that she contended supported her position that she had rehabilitated, specifically, findings related to programs that she purported to have completed or recommendations with which she claimed to have complied, the mother ignored the court's finding that she failed to fully comply with key portions of the specific steps, as well as its thorough review of those steps and the ways in which the mother failed to comply, and it was not this court's role to reassess the evidence and substitute its judgment for that of the trial court; moreover, even if the mother had fully complied with the specific steps, a determination with respect to rehabilitation is not solely dependent on a parent's technical compliance with specific steps but, rather, on the broader issue of whether the factors that led to the initial commitment had been corrected, which, in the present case, were incidents of intimate partner violence between the mother and the child's father, and, although the mother had engaged in intimate partner violence programs, she failed to gain insight into how intimate partner violence impacted her role as a mother to her child; furthermore, notwithstanding her argument that the court improperly relied on her history of intimate partner violence because she was no longer in a relationship with the father, the court credited the testimony of the mother's service providers, who testified that the mother minimized and made little progress with respect to her intimate partner violence issues, and found that, although the mother's relationship with the father had resulted in the issuance of numerous protective orders, the mother had maintained a relationship with the father, putting both

herself and the child at risk.

2. The respondent mother could not prevail on her claim that the trial court incorrectly concluded that termination of her parental rights was in her child's best interest: contrary to the mother's assertion, the court did not find that the mother had made no progress in rehabilitating herself, but, to the contrary, the court found that the mother engaged, with mixed success, in many of the services recommended by the department, the court thoroughly discussed the evidence as to the mother's compliance with the specific steps and the areas in which she had made progress, as well as those areas in which she did not, and, although the mother may have made progress, the court credited the testimony of those providers who opined that she had failed to gain insight into how her issues impacted her ability to parent her child, and, in the absence of such insight, the court, fearing that the child, who was four years old at the time it rendered judgment, would be subjected to continued violence through the mother's relationships, properly focused on the child's need for permanence and stability, rather than on the mother and her efforts to rehabilitate.

Argued October 2—officially released December 6, 2023**

Procedural History

Petition by the Commissioner of Children and Families to terminate the respondents' parental rights with respect to their minor child, brought to the Superior Court in the judicial district of New Britain, Juvenile Matters, and tried to the court, *C. Taylor, J.*; judgment terminating the respondents' parental rights, from which the respondent mother appealed to this court. *Affirmed.*

Joshua D. Michtom, senior assistant public defender, for the appellant (respondent mother).

Daniel M. Salton, assistant attorney general, with whom, on the brief, was *William Tong*, attorney general, for the appellee (petitioner).

Opinion

CRADLE, J. The respondent mother, Brooke S.,¹ appeals from the judgment of the trial court, rendered in favor of the petitioner, the Commissioner of Children and Families, terminating her parental rights as to her daughter, Blake P.² On appeal, the respondent claims that the court erred in concluding that (1) she has failed to achieve such a degree of rehabilitation as would encourage the belief that within a reasonable time she could assume a responsible position in Blake's life and (2) the termination of her parental rights was in Blake's best interest. We affirm the judgment of the trial court.

The following facts, as found by the court, and procedural history are relevant to our resolution of the respondent's claims on appeal. Blake was born in May, 2018. In June, 2018, an incident of intimate partner violence (IPV) occurred between the respondent and Blake's father, Steven P., which resulted in the issuance of a no contact protective order that extended to Blake.³

In December, 2018, the respondent and Steven P. were involved in another IPV incident, after which the respondent placed a 911 call to the Farmington Police Department. As a result of that incident, the Farmington Police Department notified the Department of Children and Families (department). Thereafter, on December 21, 2018, the petitioner filed a neglect petition as to Blake. On that same date, the petitioner obtained an order of temporary custody for Blake and the court vested the temporary care and custody of Blake with her maternal grandmother. On December 28, 2018, the respondent appeared in court with counsel, where she entered pro forma denials as to the allegations of neglect but agreed to sustain the order of temporary custody. The court, *Lobo, J.*, ordered specific steps for both parents.⁴

On June 28, 2019, the trial court, *Lobo, J.*, accepted pleas of nolo contendere by both parents and adjudicated Blake neglected. On July 25, 2019, the court vacated the order of temporary custody and, with the agreement of the petitioner, placed Blake with the respondent under six months of protective supervision. In August, 2019, while Blake was in her care, the respondent was involved in another IPV incident with Steven P. while he was staying in her home. As a result of another incident of IPV that occurred in January, 2020, the petitioner obtained another order for temporary custody of Blake. The respondent thereafter agreed to the commitment of the care and custody of Blake to the petitioner.

In addition to concerns about IPV, the department had concerns about the respondent's history of substance abuse. As a result of sports related injuries that occurred when the respondent was in high school and a car accident that occurred in 2005, the respondent

developed a significant opiate dependency stemming from an attempt to manage her chronic pain. The respondent has struggled with addiction to heroin and other opiates. The respondent disclosed she has been involved in several relationships in which her partners used, and encouraged her use of, various narcotics. This eventually included Steven P., whom she met while receiving treatment at a substance abuse treatment facility in Rhode Island. By 2019, the respondent was being prescribed a significant medical regimen, including methadone, oxycodone, and dilaudid. Although the respondent was no longer using heroin, she tested positive for cocaine in June, 2020.

As part of its efforts to reunify the respondent with Blake, and in response to the court-ordered specific steps, the department provided the respondent with numerous resources and programs. Prior to the filing of the termination petition, the respondent was referred to, or engaged on her own initiative, the following service providers: Interval House, IPV-FAIR, Silver Linings Counseling and Hartford Behavioral Health's Project SAVE for IPV issues; Community Mental Health Affiliates, the Wheeler Clinic, and three different pain management specialists for mental health and substance abuse issues; and the Merveilles Group for supervised visitation. The respondent also completed a court-ordered psychological evaluation.

On October 6, 2021, the petitioner filed a petition seeking to terminate the respondent's parental rights on the ground that, pursuant to General Statutes § 17a-112 (j) (3) (B) (i), the respondent had failed to achieve a sufficient degree of personal rehabilitation that would encourage the belief that, within a reasonable time, considering the age and needs of Blake, she could assume a responsible position in the life of Blake.

Trial on the petition commenced on March 14, 2022, and continued over the course of eight days, ultimately concluding on November 1, 2022. On February 27, 2023, the court filed a memorandum of decision wherein it granted the termination petition. The court concluded that the petitioner made reasonable efforts to reunify the respondent with Blake and that the respondent was unable or unwilling to benefit from those efforts.⁵ The court further concluded that the respondent failed to achieve an adequate degree of personal rehabilitation within the meaning of § 17a-112 (j) (3) (B). The court concluded that "[t]he clear and convincing evidence shows that [the respondent's] issues are those of mental health, substance abuse, IPV issues and a failure to complete and benefit from counseling and services. The clear and convincing evidence also shows that [the respondent] has been placed on notice to address these issues in the past." The court found that, despite the issuance to the respondent of specific steps multiple times, "[t]he clear and convincing evidence shows that

[the respondent] failed to fully comply with the key portions of those steps [that] . . . were intended to facilitate the return of Blake to [the respondent's] care" The court found that the respondent failed to fully comply with the required specific steps: engage in parenting, individual and family counseling and make progress toward the identified treatment goals; submit to substance abuse evaluation and follow the recommendations about treatment, including inpatient treatment if necessary, aftercare and relapse prevention; submit to random drug testing as required by the department; refrain from using illegal drugs or abusing alcohol or medications; cooperate with the service providers who are recommended for parenting, individual and family counseling, in-home support services and substance abuse assessment and treatment; cooperate with court-ordered evaluations and testing; sign releases allowing the department to communicate with service providers to monitor attendance, cooperation and progress toward identified goals; secure and maintain adequate housing and legal income;⁶ immediately notify the department about any changes in the makeup of the household to ensure that the change does not hurt the health and safety of Blake;⁷ obtain and cooperate with a restraining order or protective order and other appropriate safety plan approved by the department to avoid more IPV incidents;⁸ attend and complete an appropriate IPV program;⁹ and not get involved with the criminal justice system.¹⁰

Generally speaking, the court found that the respondent failed to cooperate with department referrals and, even though she did substitute some of those referrals with service providers of her own, it appeared that she "was attempting to control her service providers, as well as the information that they had and the information [the department] received." The court noted that some of the respondent's service providers described her as manipulative in attempting to ensure that they did not communicate with each other or with the department. The court found that the respondent's "recalcitrant manipulation [has] been clearly documented." The court concluded that "[t]his conduct bodes ill for the best interest of Blake. [The respondent's] refusal to be candid in her treatment means that she is not placing herself in a position where Blake can rely on her to be a safe, nurturing and responsible parent. It also means that [the respondent] cannot be relied upon to act in Blake's best interest."

The court concluded that the respondent "has been unable to correct the factors that led to the initial commitment of [Blake], insofar as she is concerned. The clear and convincing evidence reveals that from the date of commitment, through the date of the filing of the [termination] petition, and continuing through the time of trial, [the respondent] has not been available to take part in [Blake's] life in a safe, nurturing and

positive manner, and, based on her issues of mental health, substance abuse, IPV and a failure to complete and benefit from counseling and services, [the respondent] will never be consistently available to Blake.”

Finally, the court concluded that termination was in Blake’s best interest. In so concluding, the court reasoned that “[the respondent’s] refusal to properly address her IPV issues serves to doom any possibility that she will ever be a safe, responsible and nurturing parent for Blake. This is a long-standing issue, which has blighted her life since high school. To place Blake into [the respondent’s] custody would expose Blake to the scourge of IPV and would certainly endanger her. [The respondent] cannot be trusted to put her desires and wants aside in order to make sure that Blake would remain safe.” The court explained that “[the respondent’s] various issues, especially her mental health issues and her IPV issues have made her ability to parent Blake in a safe, responsible and nurturing manner essentially null and void.” The court concluded that Blake “can no longer wait for permanency, continuity and stability in her life. . . . [T]he clear and convincing evidence in this case establishes that Blake is entitled to the benefit of ending, without further delay, the period of uncertainty she has lived with as to the unavailability of [the respondent] as [her caretaker]. . . . Having balanced Blake’s individual and intrinsic needs for stability and permanency against the benefits of maintaining a connection with [the respondent], the clear and convincing evidence in this case establishes that [Blake’s] best interest cannot be served by continuing to maintain any legal relationship [with] the [respondent].” This appeal followed.

“Proceedings to terminate parental rights are governed by § 17a-112. . . . Under [that provision], a hearing on a petition to terminate parental rights consists of two phases: the adjudicatory phase and the dispositional phase. During the adjudicatory phase, the trial court must determine whether one or more of the . . . grounds for termination of parental rights set forth in § 17a-112 [(j) (3)] exists by clear and convincing evidence. The [petitioner] . . . in petitioning to terminate those rights, must allege and prove one or more of the statutory grounds. . . . Subdivision (3) of § 17a-112 (j) carefully sets out . . . [the] situations that, in the judgment of the legislature, constitute countervailing interests sufficiently powerful to justify the termination of parental rights in the absence of consent. . . . Because a respondent’s fundamental right to parent his or her child is at stake, [t]he statutory criteria must be strictly complied with before termination can be accomplished and adoption proceedings begun. . . .

“Section 17a-112 (j) provides in relevant part: ‘The Superior Court, upon notice and hearing . . . may grant a petition . . . if it finds by clear and convincing

evidence that (1) the [department] has made reasonable efforts to locate the parent and to reunify the child with the parent in accordance with subsection (a) of section 17a-111b, unless the court finds in this proceeding that the parent is unable or unwilling to benefit from reunification efforts, except that such finding is not required if the court has determined at a hearing pursuant to section 17a-111b, or determines at trial on the petition, that such efforts are not required, (2) termination is in the best interest of the child, and (3) . . . (B) the child (i) has been found by the Superior Court or the Probate Court to have been neglected, abused or uncared for in a prior proceeding, or (ii) is found to be neglected, abused or uncared for and has been in the custody of the [petitioner] for at least fifteen months and the parent of such child has been provided specific steps to take to facilitate the return of the child to the parent . . . and has failed to achieve such degree of personal rehabilitation as would encourage the belief that within a reasonable time, considering the age and needs of the child, such parent could assume a responsible position in the life of the child” (Citation omitted; internal quotation marks omitted.) *In re A’vion A.*, 217 Conn. App. 330, 336–37, 288 A.3d 231 (2023). With these principles in mind, we turn to the respondent’s claims on appeal.

I

The respondent first claims that the trial court erred in concluding that she had failed to achieve such a degree of personal rehabilitation as would encourage the belief that, within a reasonable time, considering the age and needs of Blake, she could assume a responsible position in her life.

We begin by setting forth the following relevant legal principles and standard of review. “Failure to achieve a sufficient degree of personal rehabilitation is one of the seven statutory grounds on which parental rights may be terminated under § 17a-112 (j) (3). Section 17a-112 (j) permits a court to grant a petition to terminate parental rights if it finds by clear and convincing evidence that . . . (3) . . . (B) the child . . . has been found by the Superior Court . . . to have been neglected . . . in a prior proceeding . . . and the parent of such child has been provided specific steps to take to facilitate the return of the child to the parent . . . and has failed to achieve such degree of personal rehabilitation as would encourage the belief that within a reasonable time, considering the age and needs of the child, such parent could assume a responsible position in the life of the child In making that determination, the critical issue is not whether the parent has improved her ability to manage her own life, but rather whether she has gained the ability to care for the particular needs of the child at issue. . . .

“We review the trial court’s subordinate factual find-

ings for clear error, and review its finding that the respondent failed to rehabilitate for evidentiary sufficiency. . . . In reviewing that ultimate finding for evidentiary sufficiency, we inquire whether the trial court could have reasonably concluded, upon the facts established and the reasonable inferences drawn therefrom, that the cumulative effect of the evidence was sufficient to justify its [ultimate conclusion]. . . . [I]t is not the function of this court to sit as the [fact finder] when we review the sufficiency of the evidence . . . rather, we must determine, in the light most favorable to sustaining the verdict, whether the totality of the evidence, including reasonable inferences therefrom, supports the [judgment of the trial court] In making this determination, [t]he evidence must be given the most favorable construction in support of the [judgment] of which it is reasonably capable. . . . In other words, [i]f the [trial court] could reasonably have reached its conclusion, the [judgment] must stand, even if this court disagrees with it.” (Citation omitted; footnote omitted; internal quotation marks omitted.) *Id.*, 347–48.

In challenging the court’s determination that she failed to rehabilitate, the respondent challenges both its factual findings and the sufficiency of the evidence on which it relied in reaching its legal conclusion. We address each claim in turn.

A

The respondent first claims that the court’s factual findings are clearly erroneous in that its “memorandum of decision recites certain evidence as fact while eliding other testimony and exhibits, always with the effect of minimizing [the respondent’s] recovery and compliance with services.” She argues that, although there is evidence in the record to support the court’s findings, the court’s view of the evidence, as a whole, leads to the conclusion that a mistake has been made. We disagree.

It is well settled that “[w]e will not disturb the court’s subordinate factual findings unless they are clearly erroneous A factual finding is clearly erroneous when it is not supported by any evidence in the record or when there is evidence to support it, but the reviewing court is left with the definite and firm conviction that a mistake has been made.” (Internal quotation marks omitted.) *In re Brian P.*, 195 Conn. App. 558, 569, 226 A.3d 159, cert. denied, 335 Conn. 907, 226 A.3d 151 (2020). “It is well established that [i]n a case tried before a court, the trial judge is the sole arbiter of the credibility of the witnesses and the weight to be given specific testimony. . . . On appeal, we do not retry the facts or pass on the credibility of witnesses. . . . It is the quintessential function of the fact finder to reject or accept certain evidence, and to believe or disbelieve any . . . testimony.” (Internal quotation marks omitted.) *In re Serenity W.*, 220 Conn. App. 380, 401–402, 298 A.3d 276, cert. denied, 348 Conn. 902, 300 A.3d

In arguing that the court's factual findings are clearly erroneous,¹¹ the respondent argues that the court "has seized upon small scraps of evidence that support its legal conclusions and reported them as the only facts: ten hours of violent abuse by Blake's father is reduced to an occasion when [the respondent] appeared intoxicated; a medical provider's glowing, positive testimony about [the respondent's] dedication to and success in breaking her opioid addiction is somehow converted into a failure; a minor hiccup in [the respondent's] engagement with drug treatment, occasioned by the [COVID-19] pandemic and understood as no one's fault by all those involved, becomes evidence of noncompliance; withdrawal symptoms, although characterized by multiple clinical witnesses, including two subject matter experts as a brief and necessary side effect of the very process of getting clean that [the department] and the court had required, are left without context to create the impression that [the respondent] had not or could not rehabilitate."

More specifically, for example, the respondent argues that the court "dramatically minimize[d] [the] terrifying incident" of IPV that occurred between the respondent and Steven P. in January, 2020, in that it "mention[ed] it only briefly and without detail, enough to show that [the respondent] consumed alcohol and failed to protect herself from domestic violence, but not enough to give any context at all to the magnitude of the violence she suffered nor how it might have affected her presentation in the aftermath." She also takes issue with the court's findings as to the testimony of Rebecca Andrews, a physician and the director of the UConn Comprehensive Pain Center. The respondent argues, *inter alia*, that the court "entirely disregards Andrews' testimony on [certain] points in favor of [the department's] version of events, [but] recites other facts from her testimony without question. . . . At no point does the court indicate that it questioned Andrews' credibility." (Citation omitted.) Similarly, she contends that, although the court correctly found that she refused to submit to a toxicology screening at Perspectives, she did submit to screenings at the Wheeler Clinic, and claims that the court failed to give appropriate weight to the screenings that she submitted to at the Wheeler Clinic. The respondent also takes issue with the court's reliance on the testimony of a department social worker versus that of certain service providers.

The examples cited by the respondent demonstrate that she is challenging the court's assessment of the evidence presented at trial and contends that the court should have weighed the evidence differently. In so arguing, the respondent is asking this court to reassess the evidence presented to the trial court or to second-guess its credibility determinations, which is not the

role of this court. Although there may be evidence in the record that would support the respondent's position, it is not the role of this court to examine that evidence and substitute our judgment for that of the trial court. We are not convinced, based on the respondent's alleged claims of error, that a mistake has been made in this case. Accordingly, the respondent cannot prevail on her claim that the court's factual findings were clearly erroneous.

B

The respondent next claims that the court's conclusion that she failed to rehabilitate was not supported by the evidence. The respondent argues that the court's "own findings of fact" do not support its conclusion that she failed to rehabilitate. In support of this contention, the respondent lists several findings by the court that she contends support her position that she did rehabilitate, specifically, findings related to programs that she purports to have successfully completed or recommendations with which she claims to have complied. Aside from listing these various findings, the respondent's argument that the evidence was insufficient consists of two paragraphs, in which she asserts that "the court's own fact-finding shows . . . that [the respondent] had fully rehabilitated before [the petitioner] filed the termination petition. [The respondent] was substantially compliant with the specific steps and fully compliant with [the] recommendations [of her court-appointed psychologist]." In so arguing, the respondent ignores the court's finding that "[t]he clear and convincing evidence shows that [the respondent] failed to fully comply with the key portions" of the court-ordered specific steps, and its thorough review of those steps and the ways in which the respondent failed to so comply. The respondent, again, is asking this court to construe the evidence presented at trial in favor of her position. As noted herein, in examining the sufficiency of the evidence, this court must view the evidence in the light most favorable to sustaining the court's conclusion. It is not the proper role of this court to reassess the evidence and substitute our judgment for that of the trial court.

Moreover, even if the respondent had fully complied with the court-ordered specific steps, it is well settled that "[a] determination with respect to rehabilitation is not solely dependent on a parent's technical compliance with specific steps but rather on the broader issue of whether the factors that led to the initial commitment have been corrected." *In re Aubrey K.*, 216 Conn. App. 632, 664, 285 A.3d 1153 (2022), cert. denied, 345 Conn. 972, 286 A.3d 907 (2023).

Here, the incidents of IPV between the respondent and Steven P. led to the initial commitment of Blake to the care and custody of the petitioner. The court specifically found that, although the respondent had

engaged in certain IPV programs, she failed to adequately understand or gain insight into how IPV impacts her role as a mother to Blake. Although the respondent does not directly challenge this finding, she argues that the court improperly relied on her history of IPV because she has not been in a relationship with Steven P. since January, 2020. This argument misses the mark. Although the respondent has not been involved with Steven P. since January, 2020, and although she engaged in IPV services, completing some of them successfully, the court credited the testimony of the respondent's service providers, who testified that the respondent minimized her IPV issues, did not want to talk about IPV, and had "made little progress in identifying what she learned from the IPV work that she undertook." The court noted that one of the respondent's service providers reported to a department social worker that the respondent "refused to make IPV a goal to work towards because [the respondent] felt that she has worked on it in the past." The court also found that the court-appointed psychologist indicated that "[the respondent] does not seem to understand the circumstances of her past boyfriends, her difficulty perceiving significant behavioral and emotional symptoms that were indicative of potential abusive or controlling behavior and her difficulty extricating herself from these relationships are things that can be altered to reduce her risk. . . . [I]n terms of keeping Blake safe, there is a pattern of risk throughout the years which must be considered." (Internal quotation marks omitted.) The court noted that the respondent's relationship with Steven P. had resulted in numerous protective orders, but, despite those protective orders, the respondent maintained a relationship with Steven P., putting both herself and Blake at risk and exposing Blake to the violence between her parents. The court concluded that "[t]he clear and convincing evidence shows that [the respondent] has a history of being involved in IPV relationships that dates back over twenty years. Additionally, she was aware of her need to address it, especially in the context of her child protection issues. Despite the importance of dealing with this issue and her awareness of its importance, [the respondent] refused to undertake the appropriate counseling for it. [The respondent's] refusal to address her IPV issues is also important in view of her refusal to comply with protective orders designed to safeguard her well-being and that of Blake. [The petitioner] has demonstrated by clear and convincing evidence that [the respondent] cannot exercise the judgment necessary to keep Blake safe and healthy"

On the basis of the foregoing, the respondent cannot prevail on her claim that the court's finding that she failed to rehabilitate was not supported by the evidence.

The respondent's final claim is that the court erred in concluding that the termination of her parental rights was in Blake's best interest. Specifically, the respondent argues that the court erred in so concluding because the court's findings pertaining to her "efforts at improving her ability to care for Blake are clearly erroneous." We disagree.

"[A]n appellate tribunal will not disturb a trial court's finding that termination of parental rights is in a child's best interest unless that finding is clearly erroneous. . . . We do not examine the record to determine whether the trier of fact could have reached a conclusion other than the one reached. . . . [Rather] every reasonable presumption is made in favor of the trial court's ruling. . . . In the dispositional phase of a termination of parental rights hearing, the emphasis appropriately shifts from the conduct of the parent to the best interest of the child. . . . In the dispositional phase . . . the trial court must determine whether it is established by clear and convincing evidence that the continuation of the respondent's parental rights is not in the best interest of the child. In arriving at this decision, the court is mandated to consider and make written findings regarding seven factors delineated in . . . § 17a-112 [k]. . . . The seven factors serve simply as guidelines for the court and are not statutory prerequisites that need to be proven before termination can be ordered." (Footnote omitted; internal quotation marks omitted.) *In re Autumn O.*, 218 Conn. App. 424, 442, 292 A.3d 66, cert. denied, 346 Conn. 1025, 294 A.3d 1026 (2023).

"In addition to considering the seven factors listed in § 17a-112 (k), [t]he best interests of the child include the child's interests in sustained growth, development, well-being, and continuity and stability of [his or her] environment. . . . Furthermore, in the dispositional stage, it is appropriate to consider the importance of permanency in children's lives. . . . [T]he court's inquiry in the dispositional phase of the proceeding was properly focused on whether termination of the respondent's parental rights was in the children's best interest[s]. . . . The respondent's efforts to rehabilitate, although commendable, speak to [her] own conduct, not the best interests of the child. . . . Further, whatever progress a parent arguably has made toward rehabilitation is insufficient to reverse an otherwise factually supported best interest finding. . . . Additionally, although the respondent may love her children and share a bond with them, the existence of a bond between a parent and a child, while relevant, is not dispositive of a best interest determination." (Citations omitted; internal quotation marks omitted.) *Id.*, 444.

The respondent argues that the court's finding that termination was in Blake's best interest is clearly erroneous because "[t]he court offer[ed] no explanation

for why [the respondent's] lengthy compliance with counseling, medication management, and drug testing and her consistent visitation with Blake suggest that she made *no* progress.” (Emphasis in original.) The respondent asserts that the court “disregard[ed] up-to-date evidence of compliance and progress in favor of earlier evidence of noncompliance.” She argues that “the disparity between the trial court’s broad assertion of *no* progress and the record’s clear indication of considerable progress (and the court’s own findings to that effect) strengthens the conclusion that the . . . court reached a legal conclusion without adequately weighing the facts before it.” (Emphasis in original.) An examination of the court’s thorough memorandum of decision belies the respondent’s argument. Contrary to the respondent’s assertion, the court did not find that the respondent has made no progress in rehabilitating herself. As the respondent has pointed out in her brief, the court found that she engaged in many of the services and programs recommended by the department, in addition to programs that she engaged in on her own initiative, “with mixed success.” In its decision, the court thoroughly discussed the evidence as to the respondent’s compliance with the specific steps and the areas in which she made progress and those in which she did not. Although the respondent may have made some progress in her personal rehabilitation, the court’s decision was not based on outdated evidence of the respondent’s noncompliance with the services and programs that were recommended to her. Rather, the court credited the testimony of those providers who opined that she has failed to gain insight into how her issues impact her ability to parent Blake. That has not changed with the passage of time. In the absence of that insight, the court feared that Blake, who was four years old at the time the court rendered judgment, would be subjected to continued violence through the respondent’s relationships. Moreover, in considering Blake’s best interest, the court properly focused on Blake’s need for permanence and stability, rather than the respondent and her efforts to rehabilitate. Accordingly, the respondent’s challenge to the court’s determination that termination was in Blake’s best interest is unavailing.

The judgment is affirmed.

In this opinion the other judges concurred.

* In accordance with the spirit and intent of General Statutes § 46b-142 (b) and Practice Book § 79a-12, the names of the parties involved in this appeal are not disclosed. The records and papers of this case shall be open for inspection only to persons having a proper interest therein and upon order of the court.

Moreover, in accordance with federal law; see 18 U.S.C. § 2265 (d) (3) (2018), as amended by the Violence Against Women Act Reauthorization Act of 2022, Pub. L. No. 117-103, § 106, 136 Stat. 49, 851; we decline to identify any person protected or sought to be protected under a protection order, protective order, or a restraining order that was issued or applied for, or others through whom that party’s identity may be ascertained.

** December 6, 2023, the date that this decision was released as a slip opinion, is the operative date for all substantive and procedural purposes.

¹ The parental rights of the respondent father also were terminated. He

has not challenged that judgment. All references in this opinion to the respondent are to Brooke S. only.

² The attorney for the minor child filed a statement adopting the brief of the petitioner.

³ Because of the continuing IPV between the respondent and Steven P., numerous protective orders were issued over the course of this action.

⁴ In addition to the standard specific steps that are ordered to promote reunification, the court issued an addendum that required the respondent to, *inter alia*, engage in therapy focused on mental health, substance abuse and IPV, and to gain insight into how her issues in those areas impact her parenting of Blake. The court reissued specific steps to the respondent over the course of the pendency of this action that were essentially the same as the initial specific steps.

⁵ The respondent has not challenged the court's reasonable efforts determination.

⁶ The court found that, although the respondent has a home that is "safe and appropriate," she has not been employed since November, 2019.

⁷ As to this specific step, the court found by clear and convincing evidence that the respondent failed to disclose to the department that she was allowing Steven P. to come to her home and stay there.

⁸ The court found that the respondent "continued to maintain a relationship with and continued contact with Steven [P.] despite the existence of several protective orders forbidding Steven [P.] from having contact with [her]," and, "[a]lthough [the respondent] assured [the department] that she was not in a relationship with Steven [P.] and that she was not having contact with him, the clear and convincing evidence indicated that she was untruthful."

⁹ The court found that, although the respondent attended the IPV-Fair program, which was recommended by the department, the provider concluded that she "made little progress in identifying what she learned from the IPV work done with her." The respondent also was unsuccessfully discharged from the Project SAVE program.

¹⁰ The court found that the respondent complied with the specific steps requiring her to keep all appointments set by or with the department, to cooperate with department home visits and visits by the attorney for the minor child, and to advise the department, her attorney and the attorney for the minor child where she and Blake were at all times. She also complied with the step requiring her to sign releases for records pertaining to Blake. The court also found that the respondent generally complied with the requirement that she visit Blake as often as the department permitted but that she was frequently late for those visits. The court further found that the respondent complied with the steps requiring her to notify the department of any person or persons whom she would like the department to consider as a placement resource for Blake and to provide the department with the names and addresses of Blake's grandparents.

¹¹ The petitioner acknowledges that the trial court made a number of typographical errors in its memorandum of decision. We agree with the petitioner that none of those errors are relevant to the respondent's claims on appeal.
