

COURT OF APPEALS FOR THE SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH

In the Interest of B.A. and B.A., Children v. the State of Texas

No. 02-26-00055-CV · No. 02-26-00055-CV · Decided June 4, 2026

SUMMARY

The Texas Court of Appeals, Second Appellate District, reviews the termination of a mother’s parental rights to two children. The mother challenged the legal and factual sufficiency of the evidence supporting termination under Texas Family Code section 161.001(b)(1)(D) and (E), as well as the best-interest finding. The court’s memorandum opinion states that sufficient evidence supported the findings and affirmed the termination order.

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Mike Wallach; Birdwell; Bassel; Wallach
JURISDICTION	Court of Appeals, Second Appellate District of Texas at Fort Worth
DECIDED	June 4, 2026
DOCKET	02-26-00055-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed the termination of her parental rights after a bench trial in a child-protection proceeding.
STANDARD OF REVIEW	Termination of parental rights must be proved by clear and convincing evidence. For legal sufficiency, the court views the evidence in the light most favorable to the challenged finding and determines whether a reasonable factfinder could form a firm belief or conviction. For factual sufficiency, the court performs an exacting review of the entire record while giving due deference to the factfinder's credibility determinations and asks whether a reasonable factfinder could form a firm belief or conviction.
PRECEDENTIAL VALUE	Published memorandum opinion; precedential status is identified as published in the supplied metadata.
PARTIES	J.G., Mother v. The State of Texas

TOPICS

termination of parental rights parental rights family law procedure standard of review evidence

PRACTICE AREAS

family law termination of parental rights evidence appellate procedure

QUESTIONS PRESENTED

1. Whether the evidence was legally and factually sufficient to support termination under Texas Family Code section 161.001(b)(1)(E), based on endangering conduct.
2. Whether the evidence was legally and factually sufficient to support termination under Texas Family Code section 161.001(b)(1)(D), based on an endangering environment.
3. Whether the evidence was legally and factually sufficient to support the finding that termination was in the children's best interest.

HOLDINGS

1. The evidence was legally and factually sufficient to support the finding that Mother engaged in conduct endangering the children's physical or emotional well-being.
2. The evidence was legally and factually sufficient to support the finding that termination of Mother's parental rights was in the children's best interest.

KEY QUOTATIONS

“Considering the entire record, we conclude that the trial court could have reasonably formed a firm conviction or belief that the Department had proved at least the termination ground in Subsection (E).” (24)

“Considering the entire record, we hold that the trial court could form a firm conviction or belief that the Department had proved that termination would be in the children’s best interest.” (35)

FACTUAL BACKGROUND

Mother and Father had a history of domestic violence, and Mother continued her relationship with Father despite repeated violent incidents, including incidents occurring while the children were present or in the home. Mother also tested positive for marijuana, cocaine, and methamphetamine, was arrested for methamphetamine possession, and continued associating with Father and persons involved with illegal drugs after the Department became involved. The parents violated a safety plan, Father removed the children from Mother's care, and the children were eventually placed with fictive kin who was willing to adopt them. The trial court found that Mother minimized the violence and drug-related evidence and could not reliably protect the children.

PROCEDURAL HISTORY

The Department of Family and Protective Services became involved with the family in June 2024, and the parents agreed to a safety plan. After alleged violations of the plan, the Department filed a petition and obtained emergency removal of the children. Following a five-day trial conducted over several months, the 325th District

Court of Tarrant County terminated Mother's parental rights based on Texas Family Code section 161.001(b)(1) (D) and (E) and found termination to be in the children's best interest. The court of appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- In re N.S.M., No. 01-20-00764-CV, 2021 WL 1217328, at *6 (Tex. App.—Houston [1st Dist.] Apr. 1, 2021, pet. denied)
- In re Z.N., 602 S.W.3d 541, 545 (Tex. 2020)
- In re J.F.C., 96 S.W.3d 256, 266 (Tex. 2002)
- In re J.P.B., 180 S.W.3d 570, 573 (Tex. 2005)
- In re J.O.A., 283 S.W.3d 336, 346 (Tex. 2009)
- In re A.B., 437 S.W.3d 498, 500, 502-03 (Tex. 2014)
- In re C.H., 89 S.W.3d 17, 18-19, 27-28 (Tex. 2002)
- In re H.R.M., 209 S.W.3d 105, 108 (Tex. 2006)
- In re J.F.-G., 627 S.W.3d 304, 312 (Tex. 2021)
- Tex. Dep't of Hum. Servs. v. Boyd, 727 S.W.2d 531, 533 (Tex. 1987)
- In re E.N.C., 384 S.W.3d 796, 803, 807 (Tex. 2012)
- In re J.W., 645 S.W.3d 726, 749 (Tex. 2022)
- In re Z.R., No. 02-25-00268-CV, 2025 WL 3181160, at *7 (Tex. App.—Fort Worth Nov. 13, 2025, no pet.)
- In re J.T.G., 121 S.W.3d 117, 125 (Tex. App.—Fort Worth 2003, no pet.)
- In re R.W., 129 S.W.3d 732, 739 (Tex. App.—Fort Worth 2004, pet. denied)
- In re E.A., No. 02-24-00535-CV, 2025 WL 1085189, at *10 (Tex. App.—Fort Worth Apr. 10, 2025, pet. denied)
- In re D.D.D., No. 01-23-00078-CV, 2023 WL 4872399, at *11 (Tex. App.—Houston [1st Dist.] Aug. 1, 2023, no pet.)
- In re N.E., No. 01-22-00739-CV, 2023 WL 2530197, at *9 (Tex. App.—Houston [1st Dist.] Mar. 16, 2023, pet. denied)
- In re J.S., 687 S.W.3d 541, 551 (Tex. App.—Eastland 2024, no pet.)
- In re R.R.A., 687 S.W.3d 269, 278, 281 (Tex. 2024)
- In re M.H., No. 01-25-00702-CV, 2026 WL 471744, at *4 (Tex. App.—Houston [1st Dist.] Feb. 19, 2026, pet. filed)
- In re M.R.J.M., 280 S.W.3d 494, 503 (Tex. App.—Fort Worth 2009, no pet.)
- In re N.L.S., 715 S.W.3d 760, 765 (Tex. 2025)
- In re A.H., No. 02-21-00402-CV, 2022 WL 1682422, at *11 (Tex. App.—Fort Worth May 26, 2022, no pet.)
- In re D.A., No. 02-22-00260-CV, 2022 WL 17841133, at *10 & n.11 (Tex. App.—Fort Worth Dec. 22, 2022, pet. denied)

- In re M.B.-O., No. 02-25-00306-CV, 2025 WL 3558966, at *10 (Tex. App.—Fort Worth Dec. 11, 2025, pet. denied)
- In re A.V., 113 S.W.3d 355, 362 (Tex. 2003)
- In re R.R., 209 S.W.3d 112, 116 (Tex. 2006)
- In re L.A., No. 02-25-00368-CV, 2025 WL 3683989, at *9 (Tex. App.—Fort Worth Dec. 18, 2025, no pet.)
- In re S.M.O., No. 04-24-00253-CV, 2024 WL 4280991, at *3 (Tex. App.—San Antonio Sept. 25, 2024, pet. denied)
- In re A.M., No. 02-24-00199-CV, 2024 WL 4157766, at *16 (Tex. App.—Fort Worth Sept. 12, 2024, pet. denied)
- In re A.E., No. 05-14-01340-CV, 2015 WL 1184179, at *7 (Tex. App.—Dallas Mar. 16, 2015, pet. denied)
- Kirk v. State, No. 01-20-00111-CR, 2021 WL 3083045, at *5 (Tex. App.—Houston [1st Dist.] July 22, 2021, no pet.)
- D.L.E.B. v. Tex. Dep't of Fam. & Protective Servs., No. 03-19-00186-CV, 2019 WL 3721330, at *2 (Tex. App.—Austin Aug. 8, 2019, pet. denied)