

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

In the Interest of Z.A.A., a Child

In re Z.A.A. · No. 01-25-01056-CV · Decided April 14, 2026

SUMMARY

The Texas Court of Appeals for the First District considered an accelerated appeal from an order terminating a father’s parental rights to Z.A.A. The court held that legally and factually sufficient evidence supported findings that the Department of Family and Protective Services made reasonable efforts to reunify the child with the father and that termination was in the child’s best interest. The court affirmed the trial court’s order.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Kristin Guiney; Chief Justice Adams; Justice Guerra; Justice Guiney
JURISDICTION	Texas Court of Appeals for the First District
DECIDED	April 14, 2026
DOCKET	01-25-01056-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Father brought an accelerated appeal from an order terminating his parental rights to Z.A.A. and continuing the Department of Family and Protective Services as sole managing conservator. The court affirmed after reviewing the legal and factual sufficiency of the evidence supporting the termination findings.
STANDARD OF REVIEW	In a parental-rights termination case, DFPS must prove the statutory predicate and best-interest grounds by clear and convincing evidence. Legal sufficiency is reviewed by determining whether, viewing the evidence in the light most favorable to the finding, a reasonable factfinder could form a firm belief or conviction. Factual sufficiency is reviewed under the entire-record standard, including evidence supporting and contradicting the finding, to determine whether disputed evidence is so significant that a reasonable factfinder could not form a firm belief or conviction.
PRECEDENTIAL VALUE	Published intermediate appellate opinion
PARTIES	Father v. Texas Department of Family and Protective Services

TOPICS

termination of parental rights

parental rights

family law procedure

appellate procedure

standard of review

PRACTICE AREAS

family law

termination of parental rights

child welfare

appellate procedure

QUESTIONS PRESENTED

1. Whether legally and factually sufficient evidence supported the finding under Texas Family Code section 161.001(b)(1)(N)(i) that DFPS made reasonable efforts to return Z.A.A. to father.
2. Whether legally and factually sufficient evidence supported the finding under Texas Family Code section 161.001(b)(2) that termination of father's parental rights was in Z.A.A.'s best interest.

HOLDINGS

1. The evidence was legally and factually sufficient to support the finding that DFPS made reasonable efforts to return Z.A.A. to father. An implemented family service plan is generally evidence of reasonable efforts, but it is not the exclusive means of proving that element; the governing inquiry is whether DFPS made reasonable, rather than ideal, efforts.
2. The evidence was legally and factually sufficient to support the finding that termination of father's parental rights was in Z.A.A.'s best interest.

KEY QUOTATIONS

“Ultimately, ‘the issue is whether [DFPS] made reasonable efforts, not ideal efforts.’” (15)

“Both elements must be established, and termination may not be based solely on the best interest of the child as determined by the trier of fact.” (13)

“A child’s need for a safe and stable home is the paramount consideration in assessing the best interest of the child.” (28)

FACTUAL BACKGROUND

Z.A.A. was six years old when the trial court terminated father's parental rights. The child had lived with his maternal great grandfather since April 2024, where his behavior improved and his medical, educational, therapeutic, and other needs were met; the great grandfather planned to adopt him and had arranged a backup caregiver. Father had a criminal history involving controlled-substance possession, domestic violence, and theft, had been incarcerated at various times, had not seen Z.A.A. since December 2024, had not consistently provided support, and had not participated in the DFPS family service plan. DFPS and child-advocacy personnel testified that father was largely unresponsive to efforts to contact him and that termination was in the child's best interest.

PROCEDURAL HISTORY

DFPS filed a petition for termination and conservatorship in October 2023. After a December 2024 bench trial, the trial court appointed DFPS sole managing conservator, permitted supervised visitation, and did not initially

terminate father's parental rights. DFPS later filed an amended motion to modify conservatorship and terminate father's rights. Following a November 11, 2025 hearing, the trial court appointed the child's great grandfather sole managing conservator and terminated father's parental rights. Father appealed.

DISPOSITION

affirmed

CASES CITED

- Santosky v. Kramer, 455 U.S. 745, 758-59 (1982)
- Troxel v. Granville, 530 U.S. 57, 65 (2000)
- Holick v. Smith, 685 S.W.2d 18, 20 (Tex. 1985)
- In re E.N.C., 384 S.W.3d 796, 802 (Tex. 2012)
- In re J.F.C., 96 S.W.3d 256, 264-68 (Tex. 2002)
- In re J.P.B., 180 S.W.3d 570, 573 (Tex. 2005)
- Tex. Dep't of Human Servs. v. Boyd, 727 S.W.2d 531, 533 (Tex. 1987)
- In re A.V., 113 S.W.3d 355, 362 (Tex. 2003)
- In re Y.T.A.-D., Nos. 14-24-00161-CV, 14-24-00163-CV, 2024 WL 3715392, at *7-8 (Tex. App.—Houston [14th Dist.] Aug. 8, 2024, no pet.) (mem. op.)
- In re G.K.G.A., No. 01-16-00996-CV, 2017 WL 2376534, at *5 (Tex. App.—Houston [1st Dist.] June 1, 2017, pet. denied) (mem. op.)
- In re M.N.M., 708 S.W.3d 321, 329 (Tex. App.—Eastland 2025, pet. denied)
- In re J.G.S., 550 S.W.3d 698, 704-05 (Tex. App.—El Paso 2018, no pet.)
- In re J.A., No. 04-20-00242-CV, 2020 WL 5027663, at *2 (Tex. App.—San Antonio Aug. 26, 2020, no pet.) (mem. op.)
- In re L.C.M., 645 S.W.3d 914, 921-22 (Tex. App.—El Paso 2022, no pet.)
- In re M.B., No. 14-25-00418-CV, 2025 WL 3275376, at *8 (Tex. App.—Houston [14th Dist.] Nov. 25, 2025, no pet.)
- Gamez v. Tex. Dep't of Fam. & Protective Servs., No. 03-09-00190-CV, 2009 WL 4456150, at *7 (Tex. App.—Austin Dec. 1, 2009, no pet.) (mem. op.)
- D. F. v. Tex. Dep't of Fam. & Protective Servs., No. 03-25-00738-CV, 2026 WL 482451, at *9 (Tex. App.—Austin Feb. 20, 2026, no pet.)
- A. D. v. Tex. Dep't of Fam. & Protective Servs., 673 S.W.3d 704, 714 (Tex. App.—Austin 2023, no pet.)
- In re G.C.S., Jr., 657 S.W.3d 114, 132 (Tex. App.—El Paso 2022, pet. denied)
- Holley v. Adams, 544 S.W.2d 367, 371-72 (Tex. 1976)
- In re C.H., 89 S.W.3d 17, 25-28 (Tex. 2002)
- In re L.M., 104 S.W.3d 642, 647 (Tex. App.—Houston [1st Dist.] 2003, no pet.)
- In re N.L.D., 412 S.W.3d 810, 822 (Tex. App.—Texarkana 2013, no pet.)
- In re A.C., 560 S.W.3d 624, 631 n.29 (Tex. 2018)

- In re C.A.G., No. 01-11-01094-CV, 2012 WL 2922544, at *6 & n.4 (Tex. App.—Houston [1st Dist.] June 12, 2012, no pet.) (mem. op.)
- In re C.L.C., 119 S.W.3d 382, 399 (Tex. App.—Tyler 2003, no pet.)
- Gillespie v. Gillespie, 644 S.W.2d 449, 451 (Tex. 1982)
- Cuellar v. Flores, 238 S.W.2d 991, 992 (Tex. App.—San Antonio 1951, no writ)
- In re J.S.B., Nos. 01-17-00480-CV, 01-17-00481-CV, 01-17-00484-CV, 2017 WL 6520437, at *18-19 (Tex. App.—Houston [1st Dist.] Dec. 21, 2017, pet. denied) (mem. op.)
- In re T.L.S., No. 01-12-00434-CV, 2012 WL 6213515, at *6 (Tex. App.—Houston [1st Dist.] Dec. 13, 2012, no pet.) (mem. op.)
- In re R.W., 129 S.W.3d 732, 739 (Tex. App.—Fort Worth 2004, pet. denied)
- In re D.J.G., No. 01-22-00870-CV, 2023 WL 3513143, at *23 (Tex. App.—Houston [1st Dist.] May 18, 2023, no pet.) (mem. op.)
- In re A.M., 385 S.W.3d 74, 82 (Tex. App.—Waco 2012, pet. denied)
- In re L.J.H., No. 05-21-00183-CV, 2021 WL 4260769, at *16 (Tex. App.—Dallas Sept. 20, 2021, no pet.) (mem. op.)
- In re S.H., No. 01-22-00255-CV, 2022 WL 17254956, at *18-19 (Tex. App.—Houston [1st Dist.] Nov. 29, 2022, pet. denied) (mem. op.)
- Clements v. Haskovec, 251 S.W.3d 79, 87 (Tex. App.—Corpus Christi–Edinburg 2008, no pet.)
- In re K.S., 420 S.W.3d 852, 856 (Tex. App.—Texarkana 2014, no pet.)
- In re K.A.C., 594 S.W.3d 364, 376 (Tex. App.—El Paso 2019, no pet.)
- In re M.A.A., No. 01-20-00709-CV, 2021 WL 1134308, at *20, *23 (Tex. App.—Houston [1st Dist.] Mar. 25, 2021, no pet.) (mem. op.)
- Adams v. Tex. Dep’t of Fam. & Protective Servs., 236 S.W.3d 271, 280 (Tex. App.—Houston [1st Dist.] 2007, no pet.)
- In re T.M.R., No. 13-21-00144-CV, 2021 WL 4998438, at *7 (Tex. App.—Corpus Christi–Edinburg Oct. 28, 2021, no pet.) (mem. op.)
- In re L.W., No. 01-18-01025-CV, 2019 WL 1523124, at *18, *23 (Tex. App.—Houston [1st Dist.] Apr. 9, 2019, pet. denied) (mem. op.)
- In re L.M.N., No. 01-18-00413-CV, 2018 WL 5831672, at *20 (Tex. App.—Houston [1st Dist.] Nov. 8, 2018, pet. denied) (mem. op.)
- In re M.L.R-U., Jr., 517 S.W.3d 228, 238 (Tex. App.—Texarkana 2017, no pet.)
- In re G.M.G., 444 S.W.3d 46, 60 (Tex. App.—Houston [14th Dist.] 2014, no pet.)
- In re K.C., 219 S.W.3d 924, 931 (Tex. App.—Dallas 2007, no pet.)
- In re E.D., 419 S.W.3d 615, 620 (Tex. App.—San Antonio 2013, pet. denied)