

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

In the Interest of A.M., J.M., and K.W., Children v. the State of Texas

No. 02-26-00083-CV · No. No. 02-26-00083-CV · Decided June 4, 2026

SUMMARY

The Texas Court of Appeals, Second District, affirmed the termination of a mother’s parental rights to three children. The court held that legally and factually sufficient evidence supported findings of conduct-based endangerment under Texas Family Code section 161.001(b)(1)(E) and that termination was in the children’s best interest. The evidence included the mother’s longstanding relationships with abusive men, exposure of the children to domestic violence, and instability despite recent remedial efforts.

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Bonnie Sudderth, Chief Justice; Wallach, Justice; Walker, Justice
JURISDICTION	Texas Court of Appeals, Second Appellate District, Fort Worth
DECIDED	June 4, 2026
DOCKET	No. 02-26-00083-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed a judgment terminating her parental rights to A.M., J.M., and K.W., challenging the legal and factual sufficiency of the evidence supporting the endangerment and best-interest findings.
STANDARD OF REVIEW	For termination findings challenged on legal and factual sufficiency grounds, the court asks whether a reasonable factfinder could have formed a firm belief or conviction that the findings were true. For legal sufficiency, the evidence is viewed in the light most favorable to the finding; for factual sufficiency, disputed evidence that a reasonable factfinder could not have credited is weighed against the finding in light of the entire record. The appellate court does not supplant the factfinder's credibility determinations.
PRECEDENTIAL VALUE	Published opinion; memorandum opinion

PARTIES

J.A., Mother v. The State of Texas

TOPICS

termination of parental rights

family law

standard of review

appellate procedure

evidence

PRACTICE AREAS

family law

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evidence

QUESTIONS PRESENTED

1. Whether legally and factually sufficient evidence supported the predicate finding that Mother engaged in conduct or knowingly placed the children with persons whose conduct endangered their physical or emotional well-being under Texas Family Code section 161.001(b)(1)(E).
2. Whether legally and factually sufficient evidence supported the finding that termination of Mother's parental rights was in the children's best interest under Texas Family Code section 161.001(b)(2).

HOLDINGS

1. The evidence was legally and factually sufficient to support the finding that Mother engaged in a voluntary, deliberate, and conscious course of conduct that endangered 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

“But while Mother may have started as a victim, at some point she became a volunteer.” (at 10-11)

“Here, such evidence—whether viewed in a light most favorable to the endangerment finding or weighed in the context of the record as a whole—allowed the trial court to reasonably form a firm belief or conviction that Mother engaged in a deliberate course of conduct that endangered her children’s well-being.” (at 14)

“Taking all of this evidence together—the evidence of Mother’s pattern of endangering the children, lack of protective parental abilities, unstable housing, questionable employment, and consistent arrests—a reasonable factfinder could have formed a firm belief or conviction that termination was in the children’s best interest.” (at 21)

FACTUAL BACKGROUND

Mother had a nearly decade-long pattern of relationships with abusive men and repeatedly minimized or concealed their violence. The children were exposed to domestic violence, including violence by a boyfriend while two children were nearby, and were present at their grandmother's home when another boyfriend murdered one of Mother's children, Zack. After the children's removal, Mother continued relationships with abusive men, lacked stable housing and employment, was repeatedly arrested, and continued communicating with an abusive

boyfriend despite a protective order. Although she undertook domestic-violence and trauma-related programs shortly before trial, the trial court found the evidence sufficient to support termination.

PROCEDURAL HISTORY

Following a bench trial in the 233rd District Court of Tarrant County, the trial court found that Mother engaged in conduct or knowingly placed the children with persons whose conduct endangered their physical or emotional well-being under Texas Family Code section 161.001(b)(1)(E), and that termination was in the children's best interest under section 161.001(b)(2). Mother appealed. The court of appeals affirmed the termination judgment.

DISPOSITION

affirmed

CASES CITED

- In re A.C., 560 S.W.3d 624, 630-31 (Tex. 2018)
- In re A.B., 437 S.W.3d 498, 502-03 (Tex. 2014)
- In re P.P.-S., No. 02-23-00309-CV, 2024 WL 123654 (Tex. App.—Fort Worth Jan. 11, 2024, no pet.) (mem. op.)
- In re J.D., No. 02-24-00404-CV, 2025 WL 52128 (Tex. App.—Fort Worth Jan. 9, 2025, no pet.) (mem. op.)
- In re E.A., No. 02-24-00535-CV, 2025 WL 1085189 (Tex. App.—Fort Worth Apr. 10, 2025, pet. denied) (mem. op.)
- In re E.K.H., No. 09-21-00376-CV, 2022 WL 1037766 (Tex. App.—Beaumont Apr. 7, 2022, no pet.) (mem. op.)
- In re E.A.G., No. 14-01-01046-CV, 2002 WL 31525633 (Tex. App.—Houston [14th Dist.] Nov. 14, 2002, no pet.) (not designated for publication)
- In re N.H., No. 02-22-00157-CV, 2022 WL 4374638, at *10 (Tex. App.—Fort Worth Sept. 22, 2022, no pet.) (mem. op.)
- In re C.H., No. 10-23-00402-CV, 2024 WL 2862135 (Tex. App.—Waco June 6, 2024, no pet.) (mem. op.)
- In re M.G.P., No. 02-11-00038-CV, 2011 WL 6415168, at *11-*12 (Tex. App.—Fort Worth Dec. 22, 2011, pet. denied) (mem. op.)
- Holley v. Adams, 544 S.W.2d 367, 371-72 (Tex. 1976)
- In re R.H., No. 02-19-00273-CV, 2019 WL 6767804, at *5 (Tex. App.—Fort Worth Dec. 12, 2019, pet. denied) (mem. op.)
- In re O.E.R., 573 S.W.3d 896, 907-08 (Tex. App.—El Paso 2019, no pet.)
- In re G.M., No. 02-23-00061-CV, 2023 WL 4243349, at *8 (Tex. App.—Fort Worth June 29, 2023, pet. denied) (mem. op.)