

FILED

06/28/2018

Clerk of the
Appellate Courts

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE
Assigned on Briefs May 1, 2018

IN RE KEILYN O. ET AL.

**Appeal from the Juvenile Court for Bedford County
No. 2016-JV-217 Charles L. Rich, Judge**

No. M2017-02386-COA-R3-PT

THOMAS R. FRIERSON, II, J., concurring.

I concur fully in the majority's opinion in this case. I write separately solely to express my opinion that inasmuch as the majority opinion relies on this Court's decision in *In re Ayden S.*, No. M2017-01185-COA-R3-PT, 2018 WL 2447044, at *7 (Tenn. Ct. App. May 31, 2018), for the standard of proof concerning Tennessee Code Annotated § 36-1-113(g)(14) (2017), I believe that this statutory ground allows termination of parental rights if the petitioner proves by clear and convincing evidence that the parent "has failed to meet the requirement of manifesting both a willingness and an ability to assume legal and physical custody of the child or has failed to meet the requirement of manifesting both a willingness and an ability to assume financial responsibility of the child." *See In re Amynn K.*, No. E2017-01866-COA-R3-PT, 2018 WL 3058280, at *12-15 (Tenn. Ct. App. June 20, 2018); *see also In re Neamiah R.*, No. E2017-02000-COA-R3-PT, 2018 WL 2331868, at *7 (Tenn. Ct. App. May 23, 2018).

THOMAS R. FRIERSON, II, JUDGE