



**In The  
Court of Appeals  
Seventh District of Texas at Amarillo**

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No. 07-15-00201-CV

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**IN THE INTEREST OF A.G.D., A CHILD**

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On Appeal from the 72nd District Court  
Lubbock County, Texas  
Trial Court No. 2014-509,879, Honorable Ruben Gonzales Reyes, Presiding

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January 22, 2016

**CONCURRING OPINION**

Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

The Court properly considers that A.M.'s conviction and imprisonment for possession of child pornography is a factor bearing on the best interests of three-year-old A.G.D.M. See *Holley v. Adams*, 544 S.W.2d 367, 372 (Tex. 1976) (listing, among proper factors, "the emotional and physical danger to the child now and in the future," and "the acts or omissions of the parent which may indicate that the existing parent-child relationship is not a proper one"). I do not read the Court's discussion of that factor to say that a court must always have the opinion of an expert to evaluate its bearing on the child's best interest, or that such expert testimony was essential in this case. Nor do I read its discussion to suggest that, in every termination case, the

proponent's proof must demonstrate that harm to a child could not be avoided by counseling or other means, or that the parent involved his child or other family members in his criminally pornographic conduct. Rather, I read the Court's discussion merely as pointing out areas in which the proof in this particular case was deficient. On that basis, I concur in the Court's judgment.

James T. Campbell  
Justice