

**IN THE COURT OF APPEALS OF IOWA**

No. 0-925 / 10-1702  
Filed December 22, 2010

**IN THE INTEREST OF K.V.,  
Minor Child,**

**A.J., Mother,**  
Appellant,

**F.T.V., Father,**  
Appellant.

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Appeal from the Iowa District Court for Clinton County, Phil J. Tabor,  
District Associate Judge.

A mother and father appeal the termination of their parental rights to their  
child. **AFFIRMED.**

Cheryl Fulenkamp, Davenport, for appellant-mother.

Adam W. Blank of Pillers & Richmond, Clinton, for appellant-father.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant  
Attorney General, Mike Wolf, County Attorney, and Cheryl Newport, Assistant  
County Attorney, for appellee.

Lucy Valainis, Davenport, attorney and guardian ad litem for minor child.

Considered by Eisenhauer, P.J., and Potterfield and Doyle, JJ. Tabor, J.,  
takes no part.

**EISENHAUER, P.J.**

A mother and father appeal the termination of their parental rights to their child. They contend the State failed to prove the grounds for termination by clear and convincing evidence. We review their claims de novo. *In re P.L.*, 778 N.W.2d 33, 40 (Iowa 2010).

K.V. was removed from her parents' care at the time of her birth. At the time of termination in September 2010, K.V. was nine months old. The mother's parental rights to another child were terminated in July 2008 due to the mother's failure to properly care for the child and seek treatment for the child's medical problems. The record in that case also shows the mother had difficulty controlling her temper and would resort to violence. During the pendency of the prior case, the mother was involved in a relationship with K.V.'s father. The record indicates the relationship was unhealthy, and K.V.'s father was controlling and violent.

Both parents here are low functioning. In addition, the mother has been diagnosed with recurrent major depressive disorder and residual posttraumatic stress disorder. She has difficulty managing her anger. The father has been diagnosed with intermittent explosive disorder and antisocial personality disorder. At the time of termination, neither parent was able to safely parent the child without consistent guidance. The parents had not progressed to unsupervised visitation.

The State terminated the rights of both parents pursuant to Iowa Code sections 232.116(1)(d), (g), and (h) (2009). We need only find termination proper

under one ground to affirm. *In re R.R.K.*, 544 N.W.2d 274, 276 (Iowa Ct. App. 1995). Termination is appropriate under section 232.116(1)(h) where there is clear and convincing evidence the child is three years of age or younger, has been adjudicated in need of assistance, has been removed from the parents' care for six of the last twelve months, and cannot be returned to the custody of the parents at the present time. There is no dispute the first three grounds have been proved. However, the parents contend there is not clear and convincing evidence the child could not be returned to their care.

A parent may lose custody of his or her child if the court finds there is clear and convincing evidence "[t]he child cannot be protected from some harm which would justify the adjudication of the child as a child in need of assistance." Iowa Code § 232.102(5)(a). The evidence shows the child could not safely be returned to the parents' care at the time of the termination hearing. Although the parents made some improvements in their parenting skills, supervision was still necessary for visitations. The parents would need consistent guidance to meet the child's emotional needs and keep her physically safe.

While the law requires a "full measure of patience with troubled parents who attempt to remedy a lack of parenting skills," this patience has been built into the statutory scheme of chapter 232. *In re C.B.*, 611 N.W.2d 489, 494 (Iowa 2000). Children should not be forced to endlessly await the maturity of a natural parent. *Id.* At some point, the rights and needs of the child rise above the rights and needs of the parent. *In re J.L.W.*, 570 N.W.2d 778, 781 (Iowa Ct. App. 1997).

Because the statutory grounds for termination have been met, we affirm the district court's order terminating the mother and father's parental rights.

**AFFIRMED.**