

**IN THE COURT OF APPEALS OF IOWA**

No. 0-970 / 10-1699  
Filed January 20, 2011

**IN THE INTEREST OF H.S.,  
Minor Child,**

**T.L.S., Mother,  
Appellant.**

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Appeal from the Iowa District Court for Washington County, Randy S. DeGeest, District Associate Judge.

A mother appeals the termination of her parental rights to a child.

**AFFIRMED.**

Katherine E.M. Lujan of Lloyd, McConnell, Davis & Lujan, L.L.P., Washington, for appellant mother.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant Attorney General, Barbara A. Edmondson, County Attorney, and Shawn R. Showers, Assistant County Attorney, for appellee State.

Shadrick Vogt, Britt, father pro se.

Julie Gilmore, Washington, guardian ad litem for minor child.

Considered by Sackett, C.J., and Vogel and Vaitheswaran, JJ.

**VAITHESWARAN, J.**

A mother appeals the termination of her parental rights to a child, born in 2009. She does not challenge the grounds for termination cited by the juvenile court. Instead, she contends: (1) the juvenile court abused its discretion in declining to grant her additional time to reunify with the child and (2) termination was not in the child's best interests.

*I.* Iowa Code section 232.104(2)(b) (2009) allows a court to postpone termination for an additional six months. The mother contends she made significant progress in addressing conditions that led to the child's removal, warranting an extension of time to facilitate reunification. On our de novo review, we disagree.

The child was removed from the mother's care based on domestic violence in the home. At the time of this removal, the mother's parental rights to an older child had been terminated.

When the older child was removed in 2007, the mother began receiving a plethora of services to facilitate reunification. While the mother progressed in some areas, she had a tendency to backslide.

Six months before the termination hearing, an evaluator who prepared a psychological report on the mother stated:

Unfortunately, [the mother] appears to have developed a pattern of chaotic relationship and lifestyle which make it relatively unlikely that she is going to utilize effective mental health treatment on a consistent basis until she can demonstrate for a reasonable period of time (at least six months) that she is capable of consistently participating in and benefiting from mental health treatment, her ability to nurture, protect, and parent her child is severely diminished. The prognosis for this woman is quite guarded.

By the time of the termination hearing, the mother had not progressed in these areas. A Department of Human Services employee testified that the department's current concerns were very similar to the concerns expressed when the mother's parental rights to the older child were terminated. She noted that the mother had "[u]nmet mental health needs," an "[u]nstable home environment," and "[o]verall chaos."

On this record, we conclude the juvenile court acted appropriately in declining to grant the mother a six-month extension to facilitate reunification.

*II.* The mother next contends that termination was not in the child's best interests given the closeness of the parent-child bond. See Iowa Code § 232.116(3)(c). The department employee who testified at the termination hearing recognized that the mother loved the child. According to a service provider, she attended 79.39% of the visits that were offered to her and acted appropriately during the visits. Nonetheless, the service provider expressed concern with the mother's ability to keep the child safe outside a supervised setting. Although the mother attempted to address this and other issues at weekly therapy sessions, the service provider noted that she had not learned how to disassociate herself from people who could harm the children.

Based on this record, we conclude termination of the mother's parental rights to her child was in the child's best interests.

We affirm the termination of the mother's parental rights to this child.

**AFFIRMED.**