

IN THE COURT OF APPEALS OF IOWA

No. 1-342 / 11-0455
Filed May 25, 2011

**IN THE INTEREST OF A.B. and S.P.,
Minor Children,**

**C.M.B., Mother,
Appellant.**

Appeal from the Iowa District Court for Dubuque County, Thomas J. Straka, Associate Juvenile Judge.

A mother appeals the district court's ruling terminating her parental rights.

AFFIRMED.

Sarah E. Stork Meyer of Clemens, Walters, Conlon & Meyer, L.L.P., Dubuque, for appellant mother.

Thomas J. Miller, Attorney General, Janet L. Hoffman, Assistant Attorney General, Ralph R. Potter, County Attorney, and Jean A. Becker, Assistant County Attorney, for appellee State.

Jodee R. Dietzenbach of The Law Offices of Thad J. Murphy, Asbury, attorney and guardian ad litem for minor children.

Considered by Eisenhauer, P.J., and Potterfield and Tabor, JJ.

POTTERFIELD, J.

A mother appeals the district court's ruling terminating her parental rights to her two children pursuant to Iowa Code section 232.116(1)(f) (2011) (child four years or older; has been adjudicated a child in need of assistance (CINA); removed from parent's physical custody for at least twelve of the last eighteen months; and cannot be returned at present time).

We adopt the juvenile court's findings and conclusions as our own. There is clear and convincing evidence that the statutory grounds have been met: the children were ages five and seven at the time of the termination hearing; had been adjudicated CINA as a result of the mother's drug use and suicide attempt in the children's presence; had been out of the mother's physical custody for more than twelve months; and could not be returned to the mother at present because she is residing in a correctional facility. See Iowa Code § 232.116(1)(f).

We further agree with the juvenile court's decision not to grant the mother an additional six months to work toward reunification. As noted, the mother is currently residing in a correctional facility and will achieve maximum benefits discharge in two years. Her chances of discharge in six months are "tenuous at best." And she continues to struggle with issues of mental health, substance abuse, and financial and housing stability. The children have been out of the mother's care since January 2010 and need and deserve permanency. They are in a pre-adoptive foster home where they are doing well and are bonded to their foster parents. We agree with the juvenile court that termination of the mother's parental rights best provides for the children's safety, long-term growth, and physical, mental, and emotional needs. See *id.* 232.116(2). Nor do we find any

factors in section 232.116(3) weigh against termination here. We therefore affirm.

AFFIRMED.