

IN THE COURT OF APPEALS OF IOWA

No. 2-159 / 12-0137
Filed March 14, 2012

**IN THE INTEREST OF M.M., Jr.,
Minor Child,**

**M.M., Sr., Father,
Appellant.**

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

A father appeals the termination of his parental rights. **AFFIRMED.**

Nathan W. Tucker of Tucker Law Firm, Davenport, for appellant father.

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

Cheryl Fullenkamp, Davenport, attorney for mother.

Marsha J. Arnold, Davenport, attorney and guardian ad litem for minor child.

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

POTTERFIELD, J.

A father appeals the termination of his parental rights. He asserts the juvenile court should have deferred permanency for six months rather than terminating his parental rights. The State asserts the father did not preserve this issue for appeal. Assuming without deciding the issue was properly preserved, we find the juvenile court did not err in terminating the father's parental rights.

The child at issue was removed from the parents' care at birth.¹ The record shows that during the pendency of these proceedings, the father failed to demonstrate an understanding of the child's needs; failed to regularly attend scheduled visits with the child; failed to obtain needed mental health treatment; had illegal substances in the home; associated with unsafe individuals; and continued a relationship that involved domestic violence. Care providers noted that although it was clear the father loved the child, he was unable to meet the child's basic needs. The care coordinator noted that the father lacked "a basic understanding of child development, appropriate structure, age appropriate expectations, and supervision of [the child]." The father had his parental rights to another child terminated roughly three months prior to this child's birth, and the record shows little improvement since that time.

The juvenile court did not err in determining the State had proved grounds for termination of the father's parental rights and properly concluded a deferral of permanency was not in the child's best interests. See *In re D.W.*, 791 N.W.2d 703, 707 (Iowa 2010) (stating we do not gamble with children's futures by asking them to continuously wait for a stable biological parent, particularly at such

¹ The mother does not appeal the termination of her parental rights.

tender ages). The record shows the father did not appear at the termination hearing and, as of January 5, 2012, had visited with his son only twice since August 16, 2011. In addition, the father failed to participate in substance abuse treatment or parenting classes, which were recommended and offered. See *In re L.L.*, 459 N.W.2d 489, 495 (Iowa 1990) (“Children simply cannot wait for responsible parenting. Parenting . . . must be constant, responsible, and reliable.”). There is no indication in the record that the father would have been able to properly parent the child in six months.

AFFIRMED.