

**IN THE COURT OF APPEALS OF IOWA**

No. 2-984 / 12-1533  
Filed November 15, 2012

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

**S.S., Mother,  
Appellant.**

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Appeal from the Iowa District Court for Black Hawk County, Daniel L. Block, Associate Juvenile Judge.

This appeal arises from the juvenile court's ruling in a permanency review hearing, denying the mother's motion to dismiss juvenile court proceedings.

**AFFIRMED.**

Andrew C. Abbott of Abbott Law Office, P.C., Waterloo, for appellant.

Thomas J. Miller, Attorney General, Julia S. Kim, Assistant Attorney General, Thomas J. Ferguson, County Attorney, and Kathleen Hahn, Assistant County Attorney, for appellee.

Aaron Sasse, Cedar Falls, pro se father.

Christy Liss, Waterloo, for intervenor.

Kelly Smith, Waterloo, attorney and guardian ad litem for minor child.

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

**DANILSON, J.**

This appeal arises from the juvenile court's ruling in a permanency review hearing, denying the mother's motion to dismiss juvenile court proceedings. The mother contends the district court guardianship serves the same purpose as the juvenile court's permanency order, rendering continued juvenile court supervision unnecessary.

The mother raised the same issue in a previous permanency review appeal *In re A.M.S.*, No. 10-1414, 2010 WL 4484644, at \*1 (Iowa Ct. App. Nov. 10, 2010), where we noted that Iowa Code section 232.104(7)(a) and (b),<sup>1</sup> when read together, "leave it to the juvenile court to decide whether and when to close a juvenile court proceeding." The juvenile court then—and now—believed it was in the best position to ensure that the guardianship was meeting the child's needs. The child's guardian wished the juvenile court to continue to monitor the proceedings. The juvenile court could have dismissed the juvenile proceeding in light of the fact that the Department of Human Services has not been providing any services for over three years, and continued juvenile proceedings may result in the State being responsible for additional attorney fees. But, we again find the juvenile court "acted well within its statutorily-conferred discretion in retaining jurisdiction in this matter." *A.M.S.*, 2010 WL 4484644, at \*2. We therefore affirm.

**AFFIRMED.**

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<sup>1</sup> In our prior opinion, we addressed the "recent statutory amendment" to section 232.107, which remains unchanged in the 2011 Iowa Code.