

**IN THE COURT OF APPEALS OF IOWA**

No. 3-460 / 13-0376  
Filed May 15, 2013

**IN THE INTEREST OF N.C. a/k/a N.M.A.R.A.C.,  
Minor Child,**

**T.C., Mother,  
Appellant.**

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Appeal from the Iowa District Court for Woodbury County, Mary J. Sokolovske, Judge.

A mother appeals the termination of her parental rights. **AFFIRMED.**

Jessica R. Noll of Deck Law L.L.P., Sioux City, for appellant mother.

Thomas J. Miller, Attorney General, Katherine S. Miller-Todd, Assistant Attorney General, Patrick Jennings, County Attorney, and Diane M. Murphy, Assistant County Attorney, for appellee State.

Kathryn C. Kirts of the Juvenile Law Center, Sioux City, attorney and guardian ad litem for minor child.

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

**POTTERFIELD, J.**

A mother appeals from the termination of her parental rights to her seven-year-old daughter. Our review of termination proceedings is de novo. *In re D.W.*, 791 N.W.2d 703, 706 (Iowa 2010).

The mother has a long history with the department of human services (DHS) both as a child in need of assistance (CINA) due to her own mother's physical abuse, and as a parent who has had more than one child adjudicated CINA. The mother also has a long-standing substance abuse history and has been incarcerated for much of N.C.'s life. The mother has four other children, ranging in age from seventeen to twenty-nine. The mother has no relationship with any but the oldest daughter, and that relationship is now strained.

N.C. was removed from her mother's care in November 2011 due to a DHS investigation that found the mother had physically abused the child as a result of the mother's alcohol abuse. N.C. was adjudicated CINA in December, and visits between the parent and child have never moved beyond supervised visits. In fact, at the time of the termination hearing, the mother's only visit with the child each week occurred during a one-half hour parent-child interactive therapy session.

Statutory grounds for termination exist pursuant to Iowa Code section 232.116(1)(f) (2013): the child is older than four years of age; has been adjudicated CINA; has been removed from the mother's care for more than twelve months; and cannot be returned to the mother at the present time. The child continues to express fear of being alone with her. There is little, if any, bond between them.

The record does not support the mother's claim that she is participating in and benefitting from services offered. Rather, the record supports the juvenile court's findings that the underlying reasons for the child's adjudication, that is, physical abuse and denial of critical care by the mother, as well as the child's exposure to the mother's alcohol abuse, have not been addressed and alleviated. We also agree that the child would continue to be at risk of physical and emotional harm if returned to the mother's care now or in the foreseeable future. We need not repeat the mother's parental shortcomings.

The juvenile court found that the child is in a pre-adoptive home where she was placed in December 2012. The child has adjusted well to the placement and is bonded to the foster parents. She has made "tremendous improvements and appears much happier in this environment. Her behaviors have stabilized. She is doing well in school."

Giving primary consideration to "the child's safety, . . . the best placement for furthering the long-term nurturing and growth of the child, and . . . the physical, mental, and emotional condition and needs of the child," we determine that termination of the mother's parental rights is in the best interests of the child. Iowa Code § 232.116(2).

Finally, no factor noted in section 232.116(3) exists to weigh against termination. We therefore affirm.

**AFFIRMED.**