

IN THE COURT OF APPEALS OF IOWA

No. 6-479 / 06-0703

Filed July 12, 2006

IN THE INTEREST OF

**B.B., J.B., Z.B., and R.B.,
Minor Children,**

**V.C., Mother,
Appellant.**

Appeal from the Iowa District Court for Monroe County, William S. Owens,
Associate Juvenile Judge.

A mother appeals the termination of her parental rights to her children.

AFFIRMED.

Mary Baird Krafka of Krafka Law Office, Ottumwa, for appellant.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant
Attorney General, and Steven E. Goodlow, County Attorney, for appellee.

Thomas Anders of Anders Law Office, Centerville, for father.

Debra George of Griffing & George, Centerville, guardian ad litem for
minor children.

Considered by Mahan, P.J., and Hecht and Eisenhauer, JJ.

EISENHAUER, J.

A mother appeals the termination of her parental rights to her children. She contends the State failed to prove the grounds for termination by clear and convincing evidence. She also contends termination is not in the children's best interest. We review these claims de novo. *In re C.H.*, 652 N.W.2d 144, 147 (Iowa 2002).

The mother's parental rights to were terminated pursuant to Iowa Code section 232.116(1)(h) (2005) as to R.B.; section 232.116(1)(f) as to B.B., J.B., and Z.B.; and section 232.116(1)(l) as to all four of the children. We need only find termination proper under one ground to affirm. *In re R.R.K.*, 544 N.W.2d 274, 276 (Iowa Ct. App. 1995). Termination is appropriate under section 232.116(1)(l) where:

The court finds that all of the following have occurred:

- (1) The child has been adjudicated a child in need of assistance pursuant to section 232.96 and custody has been transferred from the child's parents for placement pursuant to section 232.102.
- (2) The parent has a severe, chronic substance abuse problem, and presents a danger to self or others as evidenced by prior acts.

There is no dispute the first element has been proven. The mother instead argues she does not have a severe, chronic substance abuse problem.

We conclude clear and convincing evidence supports termination under section 232.116(1)(l). The children were removed from their parent's care in September 2004 after the parents were found to be in possession of drug paraphenilia, marijuana, and a white powder believed to be methamphetamine. Testing indicated the children had been exposed to cocaine and that R.B. had ingested cocaine. This presented a clear danger to the children. The children have been in placement since September 2004.

In October 2004, the mother participated in an extended outpatient substance abuse treatment program, which she completed. In January 2005, she tested negative for use of illegal substances. However, in April 2005 and September 2005 she tested positive for cocaine and marijuana use.

The mother argues the drug tests are inaccurate; she claims she was using methamphetamine, not cocaine, in September 2004, and that she has been sober since completing her drug treatment. However, her claims are not credible. Her September 2005 drug test indicated higher levels of cocaine than her September 2004 test.

We further conclude termination is in the children's best interest. The record indicates numerous services provided to the mother to allow her to overcome her substance abuse problems and resume parenting of her children. Despite the receipt of these services, the mother was unable to progress to the point where the children were returned to her care. In fact, the mother only received unsupervised visitation with the children for a brief period until concerns from the children's counselor returned the visits to supervised. Additionally, the mother has been unable to maintain sobriety for any substantial period of time. The crucial days of childhood cannot be suspended while the mother experiments with ways to face up to her own problems. See *In re C.K.*, 558 N.W.2d 170, 175 (Iowa 1997). The children simply cannot wait for responsible parenting. *Id.*

AFFIRMED.