

IN THE COURT OF APPEALS OF IOWA

No. 6-592 / 06-0898

Filed July 26, 2006

**IN THE INTEREST OF A.D. and Z.M.,
Minor Children,**

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

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

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

AFFIRMED.

Michael Bandy of Bandy Law Office, Waterloo, for appellant.

Thomas J. Miller, Attorney General, Katherine S. Miller-Todd, Assistant Attorney General, Thomas J. Ferguson, County Attorney, and Kathleen Hahn, Assistant County Attorney, for appellee-State.

Kelly Smith, Waterloo, guardian ad litem for minor children.

Considered by Vogel, P.J., and Miller and Eisenhauer, JJ.

EISENHAUER, J.

A mother appeals the termination of her parental rights to her children. She does not dispute the State has proven the grounds for termination, but contends termination is not in the children's best interests. We review her claim de novo. *In re C.H.*, 652 N.W.2d 144, 147 (Iowa 2002).

A.D. was first removed from the mother's care in November 2000. He was returned in June of 2001. Z.M. was born in March 2002. Both children were removed from the mother's care in May 2003. The mother's parental rights were terminated in the summer of 2004. This court reversed the termination, finding termination was not in the children's best interest. *In re A.L.*, No. 04-1658 (Iowa Ct. App. Jan. 26, 2005).

At the April 1, 2005, review hearing the juvenile court concluded immediate reunification of the mother and her children was not in the children's best interest. Efforts to reunify the mother and children resumed and the children continued their placement in foster care. In December 2005 a thirty-day trial placement commenced. If successful, the children were to be returned to their mother's care.

Just prior to the end of the trial placement, the children were again removed from the mother's care. It was discovered that a man who had been convicted of child endangerment and other criminal charges was staying at the home despite the fact that the mother had been informed that no males were to be residing in the home during the trial placement. The mother had also been advised multiple times that no males other than the maternal grandfather were to be present during visitations. The mother attempted to deceive the court and

social workers regarding the nature of her relationship with the man and his presence in the home. Following a February review hearing, the court directed that petitions to terminate parental rights be filed.

We conclude termination is in the children's best interest. Despite receiving services over a six-year period, the mother continues to place the children at risk by exposing them to men with criminal and substance abuse issues. Although she had been warned that bringing another individual into her home would jeopardize reunion with her children, the mother chose to bring into the home and expose to her children an individual who had a violent past. So doing demonstrates the mother still has not made her children her first priority.

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). Children should not be forced to endlessly await the maturity of a natural parent. *In re C.B.*, 611 N.W.2d 489, 494 (Iowa 2000). At some point, the rights and needs of the child rise above the rights and needs of the parent. *In re J.L.W.*, 570 N.W.2d 778, 781 (Iowa Ct. App. 1997). That point is now. The children are currently in a foster home placement with foster parents with whom they are bonded. It is in their best interest that the mother's parental rights be terminated so they may have stability and the opportunity for permanency. Accordingly, we affirm the termination of the mother's parental rights.

AFFIRMED.