

**IN THE COURT OF APPEALS OF IOWA**

No. 6-763 / 06-1223  
Filed October 11, 2006

**IN THE INTEREST OF  
J.B., J.T., AND X.T.,  
Minor children,**

**C.B., Mother,**  
Appellant,

**C.W., Father of X.T.,**  
Appellant.

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Appeal from the Iowa District Court for Polk County, Gregory D. Brandt,  
District Associate Judge.

A mother of three children and father of one child appeal from the order  
terminating their parental rights. **AFFIRMED.**

Lori M. Holm, Des Moines, for appellant mother.

Cathleen Siebrecht of Siebrecht & Siebrecht Law Firm, Des Moines, for  
appellant father.

Thomas J. Miller, Attorney General, Kathrine Miller-Todd, Assistant  
Attorney General, John P. Sarcone, County Attorney, and Jess Vilsack, Assistant  
County Attorney, for appellee.

Karl Wolle of the Juvenile Public Defender's Office, Des Moines, for minor  
children.

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

**VOGEL, P.J.**

Christine is the mother of Jordan, who was born in 2000, Jasmine, who was born in 2002, and Xavier, who was born in 2005. Corey is Xavier's father.<sup>1</sup> Jordan and Jasmine were the subjects of a child protective assessment in May of 2004. After child welfare mediation was unsuccessful, the children were adjudicated as children in need of assistance (CINA) in February of 2005. Xavier was similarly adjudicated in March of 2005. Initially the children remained in their mother's custody, but they were later removed in April 2005 and placed with their step-grandparents based on concerns about exposure to unsafe individuals and the instable home environment provided by Christine. After Christine's failure to comply with services, primarily including visitation with the children, the State moved to terminate her parental rights. Following a trial, the juvenile court granted the petition and terminated her rights pursuant to Iowa Code sections 232.116(1)(d), (f), and (h) (2005). It also terminated Corey's rights under sections 232.116(d), (g), and (h). Christine and Corey appeal from this ruling.

We review these termination orders de novo. *In re R.F.*, 471 N.W.2d 821, 824 (Iowa 1991). While the district court terminated the parental rights on more than one statutory ground, we only need to find grounds to terminate parental rights under one of them in order to affirm. *In re R.R.K.*, 544 N.W.2d 274, 276 (Iowa Ct. App. 1995). Our primary concern in termination proceedings is the best interests of the children. *In re C.B.*, 611 N.W.2d 489, 492 (Iowa 2000).

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<sup>1</sup> The rights of Jordan's and Jasmine's fathers are not at issue in this appeal.

Upon our careful de novo review of the record, we conclude the court properly terminated Corey's parental rights under section 232.116(1)(g), which requires a finding, by clear and convincing evidence, that the court has terminated the individual's parental rights with respect to another child and that the parent continues to lack the ability or willingness to respond to services.

Corey testified that his parental rights recently had been terminated as to two other children. He admitted that he received certain services aimed at reunification in that case, but that the State sought termination due to his failure to meet their expectations in a timely fashion. Similarly, in this case Corey has procrastinated and avoided taking the steps necessary to reunification. First, Corey was in prison when Xavier was born and only saw him for the first time in October of 2005, nearly one month after his release. At the time of trial, he had only attended a total of nine out of a possible thirty-six visits with Xavier. When those visitations did occur, the service provider described them as "traumatic" for Xavier. Despite multiple requests, Corey failed to provide a drug screen since November of 2005. Further, he failed to attend individual therapy and did not take parenting classes. Accordingly, we concur with the sentiment of Corey's in-home provider Jim Wilwerding, who reported that "it does not appear that [Corey] will be able to gain the parenting skills necessary nor the attachment level needed for full-time parenting at any time in the near future." We affirm the termination of his parental rights.

We also conclude that the court properly terminated Christine's parental rights under section 232.116(1)(f) and 232.116(1)(h), which require clear and convincing proof that the children cannot be returned to the custody of their

parent. We believe the court was accurate in its assessment that Christine is “not in a position that would allow the court to return the child[ren] to [her care] today or anytime in the foreseeable future.”

Although upon the initial involvement of the Department of Human Services it appears that Christine was involved and making progress, after September of 2005, she became very inconsistent with attending visits. At the time of the termination hearing on May 25, 2006, Christine had not visited the children in over two months, despite weekly scheduled visits. Her only excuse was that her work schedule got in the way of visiting them. When she did attend visits, issues with her parenting skills became apparent. In addition, despite being given access to the children at their foster residence and daycare, Christine failed to take advantage of the offer. Service provider Kendra Stifel noted concerns about Christine’s inability to manage time between the children, her impatience, and her difficulty in re-redirecting the children’s problem behaviors. Stifel further opined that Christine would not be able to resume custody of the children within the next six months. Accordingly, we conclude that due to Christine’s inattention to the children and lack of consistency with services, the children cannot be returned to her care and therefore affirm the termination of her parental rights.

**AFFIRMED.**