

IN THE COURT OF APPEALS OF IOWA

No. 6-767 / 06-1303
Filed October 25, 2006

**IN THE INTEREST OF L.K.,
Minor child,**

**K.L.K., Mother,
Appellant.**

Appeal from the Iowa District Court for Dubuque County, Thomas J. Straka, Associate Juvenile Judge.

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

Nicholas J. Klenske of Reynolds & Kenline, L.L.P., Dubuque, for appellant.

Stuart G. Hoover, Dubuque, for appellee father.

Thomas J. Miller, Attorney General, Kathrine Miller-Todd, Assistant Attorney General, Fred H. McCaw, County Attorney, and Jean A. Becker, Assistant County Attorney, for appellee State.

Mary Kelley, Assistant Public Defender, Dubuque, guardian ad litem, for minor child.

Considered by Sackett, C.J., and Vaitheswaran, J., and Robinson, S.J.*

*Senior judge assigned by order pursuant to Iowa Code section 602.9206 (2005).

VAITHESWARAN, J.

Kerri appeals the termination of her parental rights to Lexi, born in 2005. She contends her consent to termination “was not made intelligently” and “[s]ince the termination of her parental rights, [she] has gained regular employment and has gotten her mental health issues under control.”

The transcript reveals that Kerri’s attorney questioned her about a “release of custody” she signed. Specifically, she asked Kerri, “Do you believe that you are able to make a knowledgeable and intelligent choice regarding the termination of your parental rights?” Kerri answered, “Yeah.” The attorney also established that Kerri was not under the influence of street drugs or alcohol, and the drugs she was taking to address her mental health issues made her thoughts clearer. We conclude Kerri’s consent to termination was made intelligently.

As for Kerri’s contention that her circumstances have improved since the termination ruling, we cannot consider facts outside the record. *See Rasmussen v. Yates*, 522 N.W.2d 844, 846 (Iowa Ct. App. 1994) (noting we do not consider issues based on information outside the record).

We affirm the juvenile court’s order terminating Kerri’s parental rights to Lexi.

AFFIRMED.