

**IN THE COURT OF APPEALS OF IOWA**

No. 6-940 / 06-1590  
Filed December 13, 2006

**IN THE INTEREST OF N.A.C.,  
Minor Child,**

**A.L.V., Mother,  
Appellant.**

---

Appeal from the Iowa District Court for Johnson County, Sylvia A. Lewis,  
District Associate Judge.

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

**AFFIRMED.**

Douglas Q. Davis, II, of Douglas Q. Davis, II Law Firm, Iowa City, for  
appellant-mother.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant  
County Attorney, J. Patrick White, County Attorney, and Kristin Parks, Assistant  
County Attorney, for appellee.

Michael L. Mollman of Mollman Law Office, Cedar Rapids, for  
grandparent.

Ellen Ramsey-Kacena, Iowa City, for father.

Eric Nelson of Nelson Law Office, Coralville, guardian ad litem for minor  
child.

Considered by Sackett, C.J., and Zimmer and Eisenhauer, JJ.

**EISENHAUER, J.**

A mother appeals the termination of her parental rights to her child. She contends the State has failed to prove the grounds for termination by clear and convincing evidence. We review her claim de novo. *In re C.H.*, 652 N.W.2d 144, 147 (Iowa 2002).

N.A.C. was born in July 2005 and has been out of her mother's care since she was one month old. She is healthy and well adjusted and is in the custody of her paternal grandmother. The mother's parental rights were terminated pursuant to Iowa Code sections 232.116(1)(d), (e), and (k) (2005). 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 pursuant to section 232.116(1)(e) where:

- (1) The child has been adjudicated a child in need of assistance pursuant to section 232.96.
- (2) The child has been removed from the physical custody of the child's parents for a period of at least six consecutive months.
- (3) There is clear and convincing evidence that the parents have not maintained significant and meaningful contact with the child during the previous six consecutive months and have made no reasonable efforts to resume care of the child despite being given the opportunity to do so.

There is no dispute the first two elements have been shown. The mother contends the State failed to prove she has not maintained significant and meaningful contact with the child. Significant and meaningful contact includes the affirmative assumption by the parents of the duties encompassed by the role of being a parent. Iowa Code § 232.116(1)(e)(3). It requires continued interest in the child, a genuine effort to complete the responsibilities in the case

permanency plan, and establishing and maintaining a place of importance in the child's life. *Id.*

The mother has a history of mental health issues, having been diagnosed with attention deficit hyperactivity disorder, adjustment disorder with depressed mood, possible personality disorder, and possible bi-polar. Although the mother initially participated in the services offered to reunite her with her child and attended visitation with the child, this ceased in March 2006. The mother has not seen the child since March 10, 2006. She did not attend the July 5, 2006 review hearing. Although there is evidence the mother maintained sporadic contact with a service provider and contacted that provider about seeing her child at the end of June 2006, the mother did not contact the Department of Human Services regarding visitation as she was directed.

At the termination hearing, the mother offered various reasons as to why she has not had contact with her child since March 2006. These excuses conflict with the evidence presented by the State. As the district court found:

[The mother] has been difficult to work with in that she is not honest and pushes the rules with the various programs attempting to assist her. Her testimony and claims are not supported by the rest of the record over the last nine months.

To some extent, the mother argues reasonable efforts were not made to reunite her with her child. A challenge to the sufficiency of services should be raised in the course of the child in need of assistance proceedings. *In re L.M.W.*, 518 N.W.2d 804, 807 (Iowa Ct. App. 1994). Because the mother failed to do so, we find this issue has not been preserved for our review.

Because the State has proven the grounds for termination by clear and convincing evidence, we affirm the termination of the mother's parental rights to her child.

**AFFIRMED.**