

IN THE COURT OF APPEALS OF IOWA

No. 8-171 / 08-0138
Filed March 14, 2008

**IN THE INTEREST OF F.K. and B.L.R.,
Minor Children,**

**L.M.R., Mother,
Appellant.**

Appeal from the Iowa District Court for Woodbury County, Mary L. Timko,
Associate Juvenile Judge.

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

AFFIRMED.

Molly Vakulskas Joly, Sioux City, for appellant.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant
Attorney General, Patrick Jennings, County Attorney, and Marleen J. Loftus,
Assistant County Attorney, for appellee.

Brian Buckmeier, Sioux City, for father.

Elizabeth Row, Sioux City, guardian ad litem for minor children.

Considered by Mahan, P.J., and Eisenhauer and Baker, 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 and 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).

F.K. and BR. are now five and two years old respectively. They have been in foster care since November 2006. There has been no contact between the mother and the children since December 2006. The mother's parental rights were terminated pursuant to Iowa Code sections 232.116(1)(b), (d), (e), (h), and (l) (2007). 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)(d) where:

(1) The court has previously adjudicated the child to be a child in need of assistance after finding the child to have been physically or sexually abused or neglected as the result of the acts or omissions of one or both parents, or the court has previously adjudicated a child who is a member of the same family to be a child in need of assistance after such a finding.

(2) Subsequent to the child in need of assistance adjudication, the parents were offered or received services to correct the circumstance which led to the adjudication, and the circumstance continues to exist despite the offer or receipt of services.

The State has proved the grounds for termination under this section by clear and convincing evidence. The children were adjudicated in need of assistance. The mother has a lengthy history of substance abuse and despite receiving numerous services over several years, has been unable to maintain sobriety. By her own testimony, she would need an additional six to eight months to be able to resume care of the children. Termination is appropriate under section 232.116(1)(d).

Additionally, termination is in the children's best interest. The children are thriving in foster care where they have bonded with their foster parents and other children in the home. The family wishes to adopt the children. The foster parents have experience with F.K.'s special needs. Conversely, as found by the district court, the mother has not shown "any interest, within the last two years especially, towards having these children returned" to her care. 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.* Accordingly, we affirm.

AFFIRMED.