

**IN THE COURT OF APPEALS OF IOWA**

No. 8-957 / 08-1024  
Filed December 17, 2008

**IN THE INTEREST OF B.M.B., Minor Child,**

**S.B., Mother,**  
Appellant.

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Appeal from the Iowa District Court for Lucas County, John D. Lloyd,  
Judge.

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

**AFFIRMED.**

William A. Eddy of Eddy Law Firm, Indianola, for appellant.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant  
Attorney General, and Paul M. Goldsmith, County Attorney, for appellee.

Joseph Allwood, Chariton, guardian ad litem for minor child.

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

**EISENHAUER, J.**

A mother appeals from the termination of her parental rights to her child. She contends the State 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).

The mother's parental rights to her child, born in November 2003, were terminated pursuant to Iowa Code sections 232.116(1)(d) and (i) (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 mother does not dispute the first element has been proved. Instead, she contends the State failed to prove by clear and convincing evidence that the circumstances leading to the CINA adjudication remained an issue at the time of termination.

The child was adjudicated in need of assistance following concerns about the mother's ability to provide appropriate care. The mother and child entered the House of Mercy program, but the mother was later discharged as having reached maximum benefits from the program, although she had not successfully

completed it. At the same time, June 2007, the child was removed from the mother's care. The child has remained in foster care since. Although the mother has received services to teach her how to adequately parent the child, she has not applied what she has learned. As the court found:

She is still not able to resume parenting of her child. She lacks insight into her child's problems and into her own problems as a parent. She lacks the ability to internalize and apply the skills she has been taught. While she can point to some successes on her own part, taking care of her apartment, navigating the bus system, and acquiring some reading skills, she has taken over two years to make these modest successes. She still is unable to recognize that her daughter has developmental delays or what her role in dealing with those delays might be. She continues to minimize or ignore the conditions and events that brought her and [the child] to the attention of the court initially. She has been inconsistent in her use of her medications and has shown horrible judgment in her selection of friends and roommates. She has been dishonest with her service providers.

We adopt these findings as our own and conclude clear and convincing evidence shows the circumstances leading to the CINA adjudication continued to exist at the time of the termination hearing.

Because the elements of section 232.116(1)(d) have been proved by clear and convincing evidence, we affirm.

**AFFIRMED.**