

IN THE COURT OF APPEALS OF IOWA

No. 9-1026 / 09-1682
Filed December 30, 2009

**IN THE INTEREST OF L.G.,
Minor Child,**

**D.G., Mother,
Appellant.**

Appeal from the Iowa District Court for Webster County, James McGlynn,
Associate Juvenile Judge.

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

AFFIRMED.

Derek Johnson of Derek Johnson Law Office, Fort Dodge, for appellant.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant
Attorney General, Timothy Schott, County Attorney, and Jennifer Bonzer,
Assistant County Attorney, for appellee.

Marcy Lundberg, Fort Dodge, attorney and guardian ad litem for minor
child.

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

EISENHAUER, J.

A mother appeals the termination of her parental rights to her child. She does not dispute the State proved the grounds for termination by clear and convincing evidence. Instead, she contends the State failed to make reasonable efforts to reunite her with the child. She also contends termination is not in the child's best interest. Our review is de novo. *In re T.P.*, 757 N.W.2d 267, 269 (Iowa Ct. App. 2008).

The child, born in November 2006, was adjudicated in need of assistance in December 2008 following a physical altercation between her parents, during which the father threatened to kill the mother. The parents have since separated. However, the mother is alcohol dependent, engaging in what the juvenile court categorized as a "high level of chronic alcohol abuse." Two weeks before the termination hearing, the mother suffered alcohol poisoning after drinking "a 24 pack of beer and most of two bottles of liquor over a three-hour period." Additionally, the mother does not have a job or a home and has lived with various friends and relatives for short periods of time.

The mother contends the State failed to make reasonable efforts to reunite her with the child as required by Iowa Code section 232.102(7) (2009). She argues the House of Mercy program could have allowed her to sufficiently address her problems with substance abuse. However, the program was discussed with the mother five or six months before the termination hearing and the mother refused to participate. We conclude the State has met its burden of making reasonable efforts.

The mother also contends termination is not in the child's best interest. She claims she is living with the maternal grandmother, who also had custody of the child, and that termination will cause confusion for the child with the ongoing contact. However, the mother had been living with the maternal grandmother for only one week at the time of the termination hearing and the maternal grandmother testified it was not an option for her daughter to live there long-term.

Termination is in the child's best interest. The mother has been given the time allowed by statute to demonstrate she is able to care for her child. She was unable to show improvement. While the law requires a "full measure of patience with troubled parents who attempt to remedy a lack of parenting skills," this patience has been built into the statutory scheme of chapter 232. *In re C.B.*, 611 N.W.2d 489, 494 (Iowa 2000). Children should not be forced to endlessly await the maturity of a natural parent. *Id.* At some point, the rights and needs of the child rise above the rights and needs of the parent. *In re J.L.W.*, 570 N.W.2d 778, 781 (Iowa Ct. App. 1997). The child needs and deserves permanency. Accordingly, we affirm.

AFFIRMED.