

**IN THE COURT OF APPEALS OF IOWA**

No. 7-514 / 07-0962

Filed July 12, 2007

**IN THE INTEREST OF J.R.B., JR.,  
Minor Child,**

**A.D., Mother,  
Appellant.**

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Appeal from the Iowa District Court for Pottawattamie County, Mark J. Eveloff, District Associate Judge.

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

**AFFIRMED.**

William F. McGinn of McGinn, McGinn, Springer & Noethe, Council Bluffs, for mother.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant Attorney General, Matthew Wilber, County Attorney, and Dawn Eimers, Assistant County Attorney, for appellee.

Scott Strait, Council Bluffs, guardian ad litem for minor child.

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

**EISENHAUER, J.**

A mother appeals 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. She also contends termination is not in the child's best interest. We review these claims de novo. *In re C.H.*, 652 N.W.2d 144, 147 (Iowa 2002).

The mother's parental rights were terminated pursuant to Iowa Code sections 232.116(1)(b), (d), (e), (h), (i), 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). Section 232.116(1)(h) provides for termination of parental rights if:

- (1) The child is three years of age or younger.
- (2) The child has been adjudicated a child in need of assistance pursuant to section 232.96.
- (3) The child has been removed from the physical custody of the child's parents for at least six months of the last twelve months, or for the last six consecutive months and any trial period at home has been less than thirty days.
- (4) There is clear and convincing evidence that the child cannot be returned to the custody of the child's parents as provided in section 232.102 at the present time.

There can be no dispute the first three elements were proven. We additionally conclude clear and convincing evidence establishes the child cannot be returned to the mother's care.

The mother has severe substance dependence issues that remained unresolved at the time of the termination hearing. She has abused substances since she was approximately nine years old. At the time of the termination hearing, she had been clean and sober for thirty-two days. The mother requested an additional six months to prove herself. The mother had over

eighteen months to prove herself. 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 at 494. 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 parents.” *In re J.L.W.*, 570 N.W.2d 778, 781 (Iowa Ct. App. 1997).

Termination is in the child’s best interest. The child was born in February 2006 and has been out of the mother’s care since August 2006. The last visit between the mother and child occurred in January 2007. The mother’s substance abuse foreclosed additional visits. The child has bonded with his foster parents, who wish to adopt him. A permanent placement is in the child’s best interest. Accordingly, we affirm.

**AFFIRMED.**