

**IN THE COURT OF APPEALS OF IOWA**

No. 9-254 / 08-1726  
Filed May 6, 2009

**IN THE INTEREST OF C.Z.,  
Minor Child,**

**K.M.H., Mother,  
Appellant.**

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Appeal from the Iowa District Court for Clinton County, Arlen Van Zee,  
Associate Juvenile Judge.

A mother appeals the juvenile court order terminating her parental rights.

**AFFIRMED.**

Neill A. Kroeger, Le Claire, for appellant.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant  
Attorney General, Mike Wolf, County Attorney, and Cheryl Newport, Assistant  
County Attorney, for appellee State.

John J. Wolfe, Clinton, for the father.

Edward J. Kross of Van Scoy & Kross, P.C., Clinton, guardian ad litem for  
minor child.

Considered by Sackett, C.J., and Vogel and Miller, JJ.

**PER CURIAM**

Kera and Edward are the parents of Callie, born in August 2006. The parents have a history of substance abuse and domestic violence. The family was involved with the juvenile court before Callie was born.<sup>1</sup> Callie was removed from Kera's care in March 2007 when Kera was homeless, living a transient lifestyle, and not having any contact with service providers. Callie was placed in foster care. Callie was adjudicated to be a child in need of assistance (CINA) under Iowa Code section 232.2(6)(c)(2) (2007).

Kera worked aggressively to comply with services, and at the permanency review hearing on November 16, 2007, the juvenile court ordered that Callie could be returned to her mother's care. Safety concerns remained, however. Kera was ordered to register Callie for protective day care and submit to a psychological evaluation. Furthermore, she was to have no contact with Edward, the father.

Kera struggled with making appropriate choices. In April 2008 Edward was arrested for assaulting another person in Kera's apartment. Later that month Kera was transported to the emergency room for extreme intoxication. Callie was again removed from Kera's care on June 12, 2008, and placed in foster care after Kera was arrested for operating while intoxicated. Also, in July 2008, Kera was seen driving, while her license was revoked, with Edward as the passenger. Kera was arrested on July 30, 2008, for revocation of her probation.<sup>2</sup>

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<sup>1</sup> Kera's parental rights to two older children were terminated in April 2007.

<sup>2</sup> Kera had been placed on probation in 2006 on drug-related charges.

On August 21, 2008, the State filed a petition seeking termination of the parents' rights. At the time of the termination hearing in September 2008 Kera was in a residential correctional facility. The juvenile court terminated Kera's parental rights under sections 232.116(1)(d) and (g). The court concluded termination was in Callie's best interests, stating "Callie [ ] needs permanency established in her life and she can no longer wait while her mother, Kera [ ], continues to struggle attempting to find her way in life." Kera appeals the termination of her parental rights.<sup>3</sup>

The scope of review in termination cases is de novo. *In re R.E.K.F.*, 698 N.W.2d 147, 149 (Iowa 2000). The grounds for termination must be proved by clear and convincing evidence. *In re T.P.*, 757 N.W.2d 267, 269 (Iowa Ct. App. 2008). Evidence is clear and convincing when it leaves no serious or substantial doubt about the correctness of the conclusion drawn from it. *In re D.D.*, 653 N.W.2d 359, 361 (Iowa 2002). Our primary concern in termination cases is the best interests of the child. *In re A.S.*, 743 N.W.2d 865, 867 (Iowa Ct. App. 2007).

Kera asks for additional time to work on reunification with her daughter. She points out that at the termination hearing she admitted to the factual assertions raised by the State. She asserts that because she acknowledged her shortcomings, she can now work on moving forward to become a better parent. We note that Kera was receiving services even before Callie was born in August 2006. Kera has had more than an adequate amount of time to address her

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<sup>3</sup> Edward's parental rights were terminating in a separate juvenile court order. He does not appeal the termination of his parental rights.

problems. On our de novo review, we determine the juvenile court properly denied Kera's request for additional time for reunification.

Kera also asserts that it would be in Callie's best interests to give her additional time to work on reuniting with her child. A parent does not have an unlimited amount of time to work on deficiencies. *In re H.L.B.R.*, 567 N.W.2d 675, 677 (Iowa Ct. App. 1997). Patience with parents can soon translate into intolerable hardship for their children. *In re C.K.*, 558 N.W.2d 170, 175 (Iowa 1997). We determine it is not in Callie's best interests to wait longer for permanency. We conclude termination of Kera's parental rights is in the child's best interests.

We affirm the decision of the juvenile court.

**AFFIRMED.**