

*This opinion is nonprecedential except as provided by  
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA  
IN COURT OF APPEALS  
A21-1303**

In the Matter of the Welfare of the Child of:  
J. L. W. and C. W., Parents.

**Filed April 4, 2022  
Affirmed  
Bratvold, Judge**

Otter Tail County District Court  
File No. 56-JV-20-3179

Anne M. Carlson, Anne M. Carlson Law Office, PLLC, St. Paul, Minnesota (for appellant J. L. W.)

Keith Ellison, Attorney General, St. Paul, Minnesota; and

Michelle M. Eldien, Otter Tail County Attorney, Kathleen J. Schur, Assistant County Attorney, Fergus Falls, Minnesota (for respondent Otter Tail County Department of Human Services)

Deanne Raitz, Fergus Falls, Minnesota (guardian ad litem)

Considered and decided by Segal, Chief Judge; Bratvold, Judge; and Slieter, Judge.

**NONPRECEDENTIAL OPINION**

**BRATVOLD**, Judge

On appeal from an order terminating her parental rights to her four-year-old daughter, appellant-mother argues the district court erred by failing to make particularized findings showing she neglected parental duties and by determining the county made reasonable efforts to reunify the family. We conclude that the district court did not err by (1) failing to make particularized findings, (2) determining statutory grounds support

termination by clear and convincing evidence, (3) finding the county made reasonable efforts at reunification, or (4) determining termination is in the child's best interests. We affirm.

## **FACTS**

The following summarizes the district court's findings and decisions resulting from two bench trials and an evidentiary hearing and is supplemented by the record when helpful to understand the issues on appeal. We note that in its order granting the petition for termination, the district court took judicial notice of the findings and evidence received at the first bench trial and the evidentiary hearing.

Appellant-mother J.L.W. (born in 1985) suffered a traumatic brain injury (TBI) in 2008, after which her parents established a guardianship for her care until her capacity was restored in 2014. Daughter is mother's and respondent-father's (C.W.) child, born in March 2017.

In July 2017, father assaulted mother in daughter's presence, and mother admitted to drug use. Respondent Otter Tail County Department of Human Services (the county) offered mother voluntary chemical-dependency and parenting-education services. In October 2017, father lived with mother and daughter, violating a domestic-abuse no-contact order (DANCO). In May 2018, father assaulted mother, again violating the DANCO. The county offered mother voluntary services, which she declined.

In September 2018, the county filed a child-in-need-of-protective-services (CHIPS) petition. The district court adjudicated daughter as CHIPS in December and also adopted a case plan, which mother signed. The district court's plan sought "to ensure that there

were no further incidents of domestic violence by instructing [mother] to contact law enforcement if [f]ather came to the residence.” After this, father violated the DANCO again by assaulting mother in daughter’s presence, which also violated the case plan. The district court found that “unbeknownst” to the county, mother took daughter to see father “several times in 2019.” In December 2019, the district court closed the CHIPS proceedings “based on apparent compliance with the case plan.”

Shortly after the 2018 CHIPS case was closed, police discovered father living with mother in violation of the DANCO and found controlled substances in the home. Officers removed daughter and placed her in emergency relative foster care. Daughter has remained in foster care with relatives since this incident.

The county filed a second CHIPS petition on December 19, 2019. Mother submitted a mouth swab at a district court hearing and tested positive for methamphetamine. The district court adjudicated daughter as CHIPS and adopted a new case plan requiring mother to complete a chemical-dependency assessment. The district court found mother began using methamphetamine at age 18 in 2003.

After two chemical-dependency assessments, mother entered inpatient treatment in April 2020. She tested positive for methamphetamine upon admission. Mother successfully completed treatment but was unsuccessfully discharged from a halfway house in July 2020 after relapsing and trying to submit a fake urinalysis test. Mother then stopped engaging in services, and her parenting time became supervised.

In October 2020, mother successfully completed inpatient chemical-dependency treatment, after which she discharged into an intensive outpatient program. When she was

discharged, mother planned to return to her hometown but changed plans “last-minute” and moved in with a boyfriend she met during treatment.

On December 29, 2020, the county petitioned to terminate mother’s and father’s parental rights.<sup>1</sup> In March 2021, mother completed a parenting-capacity assessment with Dr. Kathleen Schara. During the first termination trial, Dr. Schara opined that mother had not shown an “ability to protect” daughter “from potential harm by others or from exposure to abusive or dangerous situations.” The district court found that Dr. Schara testified that many of mother’s deficits “could” change if she addressed her chemical dependency.

The first trial ended in late March 2021. The district court denied the termination petition after determining the evidence did not clearly and convincingly prove mother was unfit to parent daughter or unable to care for daughter appropriately, or that daughter could not be returned to mother’s care. Even so, the district court noted that “it is still hard to know whether [m]other is now up to the challenge of providing [daughter] with parenting that will be safe, sober, and stable.”

After the first trial, mother cancelled a scheduled visit with daughter and when questioned, told a case worker that she had “given up,” but mother denied relapsing. The district court found mother’s denial of her relapse “was a lie.” Mother stopped going to individual therapy and treatment, “claiming she was sick” even on days she visited daughter. Mother also refused drug tests and “exhibited odd behaviors.”

---

<sup>1</sup> In June 2021, father submitted an affidavit to voluntarily terminate his parental rights. The district court determined termination of father’s parental rights was in daughter’s best interests and accepted his admission to a voluntary termination of his parental rights. Father does not appeal this termination.

In May 2021, the county obtained an order to test mother's hair follicles. Mother admitted that she relapsed, having used methamphetamine multiple times between April 3 and April 30. The county moved to amend the findings made after the first termination trial or for a new trial based on new evidence. After an evidentiary hearing, the district court granted the county's motion for a new trial.

The second trial began in August 2021 and included testimony by the guardian ad litem (GAL), the county social worker, Dr. Schara, and mother. The district court also received into evidence a neuropsychological evaluation report by Dr. Paula Bergloff. During trial, evidence established that after the first termination trial and her subsequent relapse, mother submitted to regular drug tests without missing a test or testing positive, obtained a recovery coach, resumed individual therapy, showed a desire to avoid father, took all recommended medications as prescribed, began speech therapy, started a new job, put a deposit on her own apartment, and qualified for Adult Rehabilitative Mental Health Services based on her severe and persistent depression.

After trial, the district court involuntarily terminated mother's parental rights, finding four statutory grounds for termination. *See* Minn. Stat. § 260C.301, 1(b)(2) (neglect of parental duties), 1(b)(4) (palpable unfitness), 1(b)(5) (failure to correct conditions causing out-of-home placement), 1(b)(8) (neglected and in foster care) (2020). The attached memorandum included detailed factual findings.

As for mother's cognitive abilities, the district court found Dr. Bergoff assessed mother's "over-all intellectual abilities" as "within the low-average range." Mother self-reported her TBI to Dr. Bergloff and that she fell and hit her head in 2020. Since her fall,

mother felt her short-term memory worsened, her sleep and attention span suffered, she was sometimes so exhausted her body hurt, she struggled to regulate her emotions, and she had trouble learning new occupational tasks. Dr. Bergloff opined that mother's TBI may "strongly contribut[e]" to her current challenges and that it is likely her chemical dependency and depression are also factors. The district court also noted the evaluation showed mother lacked insight as she believed her chemical dependency did not impact daughter's removal.

The district court found daughter has multiple mental- and behavioral-health impacts stemming from her parents' abusive relationship, daughter is bonded to mother and her foster mother, almost all of mother's visitation was supervised, and mother behaved questionably during visits. This opinion discusses additional findings below as relevant to the issues on appeal.

The district court's analysis of the statutory grounds for termination identified "three major areas of problems." First, mother "had a history of making decisions that caused [daughter] to be exposed to domestic violence." Though the district court found mother was unlikely to contact father or be involved in another abusive relationship, it found mother's relationship history raised questions about her parenting ability.

Second, the district court found mother's history of chemical dependency was concerning. The district court acknowledged mother's recent period of sobriety but found that mother was "not up to the challenges of parenting" and that she faces a long "road to recovery."

Third, mother's mental health was a major issue, including depression and cognitive difficulties caused by TBI. The district court determined the neuropsychological evaluation and parenting-capacity assessment show that mother would struggle with a "wide variety of normal parenting tasks." The district court found that these challenges compounded with daughter's special needs and mother's "pattern of lying to treatment providers" and "disregarding advice from the people tasked with helping her."

Based on "the totality of the record," the district court found that "[m]other lacks the ability to provide [daughter] with parenting that will meet [her] enhanced needs for security and stability." Because further efforts would not change these circumstances in the "reasonably foreseeable future," the district court found the statutory grounds for termination proved. The district court also determined the county met the reasonable-efforts requirement and that termination was in daughter's best interests.

Mother appeals.

## DECISION

Parental rights should be terminated only "for grave and weighty reasons." *In re Welfare of H.G.B.*, 306 N.W.2d 821, 825 (Minn. 1981). Appellate courts will affirm the district court's decision to terminate parental rights when (1) "at least one statutory ground for termination is supported by clear and convincing evidence," (2) "the county has made reasonable efforts to reunite the family," and (3) "termination is in the best interests of the child." *In re Welfare of Child. of S.E.P.*, 744 N.W.2d 381, 385 (Minn. 2008).

Appellate courts look at the "sufficiency of the evidence to determine whether it was clear and convincing" and give "[c]onsiderable deference" to the district court's

decision due to that court’s “superior position to assess the credibility of witnesses.” *In re Welfare of Child of S.S.W.*, 767 N.W.2d 723, 733 (Minn. App. 2009) (quotation omitted). Appellate courts review the district court’s factual findings for clear error. *In re Welfare of Child of J.R.B.*, 805 N.W.2d 895, 901 (Minn. App. 2011), *rev. denied* (Minn. Jan. 6, 2012). This means “we view the evidence in a light favorable to the findings. We will not conclude that a factfinder clearly erred unless, on the entire evidence, we are left with a definite and firm conviction that a mistake has been committed.” *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221 (Minn. 2021) (quotation and citation omitted). We must “fully and fairly consider the evidence, but so far only as is necessary” to determine if the evidence reasonably tends to support the findings. *Id.* at 223 (quotation omitted); *see In re Welfare of Child of J.H.*, 968 N.W.2d 593, 601 n.6 (Minn. App. 2021) (applying *Kenney* on appeal from a district court’s termination of parental rights (TPR)), *rev. denied* (Dec. 6, 2021). However, we “need not go into an extended discussion of the evidence to prove or demonstrate the correctness” of the district court’s findings; instead, our “duty is fully performed after [we have] fairly considered all the evidence and ha[ve] determined that the evidence reasonably supports the decision.” *Kenney*, 963 N.W.2d at 222 (quotations omitted).

Mother contends the district court abused its discretion by failing to make “particularized findings that conform with” the statutory requirements for finding she neglected her parental duties. Mother does not contest the district court’s best-interests findings, but she does contend “the agency’s efforts to address [her] trauma history as a victim of domestic abuse were lacking.” We first address mother’s particularized-findings



argument and whether a statutory ground for termination exists before considering the district court's reasonable-efforts and best-interests findings.

**I. The district court did not fail to make particularized findings that show mother neglected her parental duties.**

**A. The district court made particularized findings as required.**

Mother argues “the district court failed to make particularized findings conforming with any of the statutory criteria for termination” because it offered “the analysis that ‘although the grounds (pled by the agency) are technically distinct, they are substantially the same,’” and that this failure made the order “ineffectual for appellate review.” The county contends “the district court’s order allows for meaningful appellate review” because “the district court clearly did more than merely recite or summarize the evidence,” making clear that it fully understood and analyzed the case.

The Rules of Juvenile Protection Procedure require some “particularized findings,” but these findings relate to the nature and extent of the county’s reasonable efforts to rehabilitate and reunite the family, whether termination is in a child’s best interests, and ensuring the child’s interests are paramount. Minn. R. Juv. Prot. P. 58.04(c)(2). As will be detailed below, the district court made comprehensive findings about reasonable efforts and daughter’s best interests. Thus, the district court satisfied the particularized-findings requirement.

**B. The district court’s additional findings provide for meaningful appellate review.**

Mother contests the adequacy of the district court’s “particularized findings” about the statutory grounds for termination. We are not persuaded for two reasons. First, the

Rules of Juvenile Protection Procedure require the district court to find a statutory ground for termination, but this finding is not described as a “particularized finding.” Minn. R. Juv. Prot. P. 58.04(c)(1) (listing the requirement to find statutory grounds for termination under a “general” subheading separate from the particularized-findings requirement).

Second, it is correct that a district court must make findings that conform with the statutory requirements and “address the statutory criteria” for termination. *In re Welfare of D.D.G.*, 558 N.W.2d 481, 484 (Minn. 1997); *In re Welfare of Chosa*, 290 N.W.2d 766, 769 (Minn. 1980); *see In re Welfare of Child. of T.R.*, 750 N.W.2d 656, 660-61 (Minn. 2008) (applying this standard on appeal from an involuntary TPR). A district court’s findings are deficient when they “merely recite[]” or summarize testimony without independently commenting on the court’s opinions, the foundations for its opinions, or the relative credibility of the witnesses. *In re Welfare of M.M.*, 452 N.W.2d 236, 239 (Minn. 1990). To be adequate, a district court’s findings must “facilitate effective appellate review” by explaining which evidence the court found persuasive to its ultimate decision and by showing the court’s comprehensive consideration of statutory criteria. *Id.*

The district court presented its factual findings in a 32-page memorandum. We conclude the findings facilitate effective appellate review even though analysis of the statutory grounds is combined. The district court made comprehensive findings about mother’s history and relationship with father, the county’s involvement with the family, mother’s chemical dependency, mother’s mental health, and daughter’s wellbeing and needs. These findings were based on testimony and reports given by treatment providers, county employees, daughter’s therapist, the GAL, daughter’s foster parents and daycare

providers, the parenting-capacity and neurological assessors, and mother. The district court's findings did not "merely recite[]" the testimony and reports submitted. *See id.* Rather, the extensive findings detail the evidence the district court found credible and persuasive to its decision to terminate mother's parental rights. Thus, the district court's findings "facilitate effective appellate review." *See id.*

Mother points out that the district court did not analyze each statutory ground for termination separately. Instead, the district court stated, "The question that governs each of these statutory grounds is ultimately the same," and explained that question as whether "the parent is unfit to assume the primary parental role." After careful review of the district court's memorandum, we conclude the district court made specific findings that, when combined, amount to a determination that mother neglected her parental duties, among other findings related to parental unfitness.

Importantly, the district court's memorandum included detailed findings. The district court described how each of mother's three problem areas impacted her ability to parent, ultimately finding that "the totality of the record" showed "[m]other lacks the ability to provide [daughter] with parenting that will meet [daughter's] enhanced needs for security and stability." Thus, the district court's memorandum showed a detailed consideration of the statutory criteria for termination and whether the circumstances of mother's case met the termination requirements.

Mother seems to argue the district court must make explicit findings that list and individually address every element for each statutory ground for termination. Mother cites no authority requiring the district court to make such express findings, so we could decide

not to address this issue. *See State, Dep't of Labor & Indus. v. Wintz Parcel Drivers, Inc.*, 558 N.W.2d 480, 480 (Minn. 1997) (declining to address an inadequately briefed question); *In re Child of P.T.*, 657 N.W.2d 577, 586 n.1 (Minn. App. 2003) (applying *Wintz* in a TPR appeal). Mother's position, however, lacks merit because caselaw establishes the district court's findings must address the statutory criteria for termination. *See D.D.G.*, 558 N.W.2d at 484. Because the district court identified the statutory grounds for termination, made detailed factual findings to support those grounds, and identified evidence supporting its termination decision, its findings provide for meaningful appellate review.

## **II. The district court did not err by determining mother neglected her parental duties.**

Mother makes four arguments challenging the district court's determination that she neglected her parental duties under Minn. Stat. § 260C.301, subd. 1(b)(2). Some of mother's challenges address the district court's factual findings, while others address the district court's legal determinations.

### **A. Deprivation of "basic care"**

Mother contends the district court abused its discretion by determining she neglected her parental duties because "no evidence" supports finding she deprived daughter of "basic care" or that she inadequately met daughter's needs. The county contends the district court's findings and the record evidence show mother "repeatedly failed to comply with her parental duties and has demonstrated her inability to keep [daughter] safe," pointing to daughter's mental-health diagnoses and conduct as evidence.

Contrary to mother's contention, deprivation of "basic care" is not the sole standard for neglect of parental duties. A parent's rights may be terminated if the parent has "substantially, continuously, or repeatedly refused or neglected to comply with the duties imposed . . . by the parent and child relationship." Minn. Stat. § 260C.301, subd. 1(b)(2). Those duties include providing "food, clothing, shelter, education, and other care and control necessary for the child's physical, mental, or emotional health and development." *Id.* Parental duties also include a duty to "protect and care for the child." *J.R.B.*, 805 N.W.2d at 902 (quotation omitted). Some of these duties may be characterized as "basic care," but parental duties go beyond providing "basic care." The district court must also "determine at the time of termination, the parent is not presently able and willing to assume [their] responsibilities and the condition will continue for the reasonably foreseeable future." *In re Welfare of A.M.C.*, 920 N.W.2d 648, 655 (Minn. App. 2018). Thus, the statute does not require that the district court find a parent deprived their child of basic care. Rather, the district court must find the parent neglected their parental duties, they cannot now assume parental duties, and their inability to care for child will likely continue for the reasonable future.

The district court found mother neglected her duty to care for daughter's safety and physical, mental, and emotional health. The district court found daughter has special needs resulting from "the events that have transpired," exemplified by post-traumatic stress disorder, night terrors, several clinical-range behavioral issues, and increased anxiety and unsureness about mother. These findings are supported by the record. A Child Behavior Checklist showed daughter is in the clinical range for experiencing anxiety/depression,

somatic complaints, withdrawal/depression, attention problems, and internalizing and externalizing problems.

The district court also found daughter had been in out-of-home placement for “approximately 603 days,” “nearly two-thirds of her life.” The district court found daughter has “more anxiety and unsureness around [m]other than around other caretakers,” that “[v]irtually all of [m]other’s visitation has been subject to formal supervision,” and mother’s behavior during visits “has been questionable” as mother was emotional, daughter tried to comfort mother, and mother used “inappropriate language” by calling daughter “sexy” and discussing her methamphetamine use in front of daughter.

In sum, mother challenges whether the district court made required findings and does not argue the findings lack record support. We conclude the district court made the required findings, which show mother failed to provide the care and control required to protect daughter’s mental and emotional health and development.

**B. Mother’s relationship history and daughter’s exposure to violence**

Mother next contends the “cited shortcoming” at the time of daughter’s removal was mother’s relationship with father, and mother corrected this shortcoming by ending “her relationship with father more than a year before the second trial.”

Mother is correct that the district court made favorable findings on this issue. The district court found “there is no evidence that [m]other would expose [daughter] to [f]ather” as mother and father no longer have contact, they have no interest in having contact, and father is restrained from seeing mother by his parole conditions. The district court also found that there is “no evidence” mother’s new relationship is abusive and that mother’s

history of failing to protect daughter from domestic-violence exposure “does not mean that this specific history is likely to repeat itself in the foreseeable future.”

Mother’s argument, however, divorces these findings from their context. The district court also found mother’s relationship history “speaks to [m]other’s general parenting capabilities”; specifically, this history raised “great questions” about mother’s ability to “exercise good judgment,” “take proactive parenting steps,” and prioritize daughter’s needs over her own. Even so, the district court found mother’s relationship history was not dispositive itself, but “must be taken in light of the entire record.” Thus, the district court did not abuse its discretion because it did not rely on mother’s relationship history with father as evidence that mother would be unable to resume her parental duties.

### **C. Mother’s chemical dependency**

Mother contends that “[i]f the shortcoming that led to removal was chemical use,” she corrected this shortcoming “by demonstrating long periods of sobriety leading up to” both trials. The county argues the record evidence supports the district court’s findings that mother cannot provide daughter with a safe, sober, and stable home, in part because of her chemical dependence and continued resistance to services demonstrated by her pattern of lying to treatment providers.

Caselaw establishes chemical dependency alone is not grounds for termination; chemical dependency must affect a parent’s ability to care for a child. *See T.R.*, 750 N.W.2d at 663 (holding chemical dependency cannot render a parent unfit; instead, the chemical dependency must be “of a nature and duration that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the child’s ongoing needs”).

The district court recognized mother's sobriety at the time of the second trial, finding that despite mother's relapse after the first trial, she achieved a similar period of sobriety as she had before the first trial and "progressed in her journey toward sobriety," had a better job, was getting new housing, and had "more established services and supports in place." Even so, the district court found mother's relapse after the first trial showed she had great "temptation to use," a limited ability to cope with stress, and inadequate supports, "[s]he was willing to lie to providers [] rather than seek help", and she knew "the right words to say when talking about how to handle challenges to her sobriety, but she had not internalized those lessons." The district court also found the record now "does a better job of showing how much longer the road to recovery is likely to be [for mother]" because even after escaping domestic violence, mother lied to providers; even after moving away from her old environment, mother relapsed; and even after months of treatment and individual therapy, mother "had difficulty dealing with major stressors."

These findings are supported by the record. Mother's relapse is documented in her treatment records. From April through May 9, 2021, mother displayed odd behaviors during supervised visitation, stopped attending group therapy, ceased drug screening, appeared to be misusing her prescription medications, and denied any relapse to treatment providers. Mother then admitted her relapse and stated her biggest triggers were work and emotional stress, "which led her to isolate herself and talk with the wrong people." C.D., a county caseworker, testified that reports from mother's treatment providers just before trial did not show a decline in mother's risk of relapse and put mother at "a risk of level 4 out



of 4” for her recovery environment. The GAL testified that “relapse and recovery has been” mother’s “pattern.”

The district court found that the “work [m]other still needs to do to safeguard her sobriety, along with the challenges presented by her depression and TBI, means she cannot provide” daughter with a “safe, sober, and stable” home within “the reasonably foreseeable future.” Thus, the district court did not err because it made findings, supported by the record, that showed mother’s chemical dependency affected her ability to care for daughter and would prevent her from resuming her parental duties.

#### **D. Mother’s mental health**

Mother’s brief to this court does not address the district court’s findings on her mental health, including her depression and TBI, and its impact on her ability to resume her parental duties. The county contends the district court did not abuse its discretion by terminating mother’s parental rights based on mother’s neglect of her parental duties because the record supports the district court’s finding that mother cannot provide a safe, stable, and sober home due, in part, to challenges presented by her mental health. *See T.R.*, 750 N.W.2d at 661 (“mental illness, in and of itself, does not permit termination of parental rights. Rather, we consider the actual conduct of the parent to determine fitness to parent.” (quotation omitted)).

The district court highlighted mother’s mental health, including her depression and the cognitive difficulties caused by her TBI, as “the last major issue that feeds into [m]other’s challenges with fulfilling the duties of a parent.” The district court found that mother’s parental-capacity assessment rated mother’s “mental health functioning,

personality functioning, and attunement to [daughter's] needs as marginal” and mother’s “emotional maturity, prioritization of [daughter's] needs, knowledge of child development, and supervisory capacity as impaired.” The district court found that mother’s neuropsychological examination revealed she experiences “frequent exhaustion,” has difficulty with attention, and struggles with short-term memory and knowledge acquisition. The district court also found that mother struggles to make certain decisions on her own and has trouble grasping parenting expectations, concluding that “even if [m]other were not struggling with chemical dependency and the aftermath of an abusive relationship, there would still be a wide variety of normal parenting tasks that would be challenging for her.”

The district court acknowledged that mother’s mental-health and cognitive difficulties would not, alone, be a cause for termination. Even so, the district court found mother’s mental-health challenges “do not stand alone”; instead, they are accompanied by daughter’s special needs. The district court also noted that mother “has not always benefitted from the help she has been given.” The district court highlighted that daughter has “already experienced trauma,” will have “special needs” and “special challenges,” is very active, “will test boundaries,” and “will need full time supervision, which is a full-time job that will not go away, even if [m]other is justifiably tired from work or as a consequence of her TBI.” The district court next explained that mother “has displayed a pattern of lying to treatment providers,” which limits their effectiveness, and “has displayed a pattern of disregarding advice from the people tasked with helping her.”

The district court next found that the parental-capacity evaluation and the neuropsychological examination show mother struggles to make decisions in a consistent and responsible manner. “On the strength of the current record,” the district court found “it is a fair inference that, along with her substance abuse history, [m]other’s TBI and depression strongly contributed to the circumstances” that caused daughter’s removal from the home. The district court noted reasonable efforts to remediate these conditions “have only been partially successful,” likely because “there was only ever so much that could ever have been done.”

Given “the totality of the record,” the district court found that mother “lacks the ability to provide [daughter] with parenting that will meet [her] enhanced needs for security and stability” and that “[t]he evidence is clear and convincing that the work [m]other still needs to do to safeguard her sobriety, along with the challenges presented by her depression and TBI, mean that she cannot provide” daughter with a “safe, sober, and stable” home. The district court also found that “further efforts will not change this fact within the timespan of the reasonably foreseeable future.” Thus, the district court made findings that show mother was not prepared to resume the duties of the parent-child relationship because her mental health and chemical dependence affect her ability to parent. *See A.M.C.*, 920 N.W.2d at 655 (stating the district court must find that the parent is not now able to assume their parental responsibilities and that the condition will continue for the reasonably foreseeable future).

In sum, the record supports the district court’s findings that mother neglected her parental duties, and the district court did not err by determining that a statutory ground for

termination of mother's parental rights existed. Because the district court's findings of fact are proved by clear and convincing evidence, the district court did not abuse its discretion by determining this statutory basis for termination was met. Thus, we need not address mother's arguments on the sufficiency of the evidence supporting the remaining statutory grounds for termination. *S.E.P.*, 744 N.W.2d at 385 (requiring appellate courts to find that "one statutory ground for termination is supported by clear and convincing evidence").

**III. The district court did not err by determining the county made reasonable efforts to reunify the family.**

The county must provide reasonable efforts to prevent placement of a child outside the home, to rehabilitate, and to reunify the family. *See* Minn. Stat. § 260.012(a) (2020). "Whether the county has met its duty of reasonable efforts requires consideration of the length of time the county was involved and the quality of effort given." *In re Welfare of H.K.*, 455 N.W.2d 529, 532 (Minn. App. 1990), *rev. denied* (Minn. July 6, 1990). For a county's efforts to be reasonable, the services offered must be: "(1) relevant to the safety and protection of the child; (2) adequate to meet the needs of the child and family; (3) culturally appropriate; (4) available and accessible; (5) consistent and timely; and (6) realistic under the circumstances." Minn. Stat. § 260.012(h) (2020). Appellate courts review the district court's underlying factual findings for clear error and its ultimate determination about whether reasonable efforts were met for abuse of discretion. *S.E.P.*, 744 N.W.2d at 387; *In re Welfare of Child of D.L.D.*, 865 N.W.2d 315, 322-23 (Minn. App. 2015), *rev. denied* (Minn. July 20, 2015) (applying an abuse-of-discretion standard of review).

The district court found the county (1) created case plans for mother; (2) provided referrals for “a variety of chemical dependency services” like drug testing and inpatient and outpatient treatment programs; (3) provided or made referrals to parenting-education and counselling services to “target[] most of the issues that led to [daughter’s] out-of-home placement”; (4) referred mother to a domestic-violence advocacy group and added trauma therapy upon her request; and (5) referred mother to parenting-capacity and neuropsychological evaluations and implemented the recommendations. The district court also found these services were relevant to daughter’s safety and protection, culturally appropriate, available, accessible, consistent, realistic, and “consisted of all reasonable services necessary to meet the needs of the family.” And the district court noted that “[w]hile delays were unfortunate” in providing services, “they were reasonable under the circumstances.”

Mother’s sole challenge to the county’s reunification efforts is that “the [county’s] efforts to address [her] trauma history as a victim of domestic abuse were lacking.” Mother also raised this issue in the district court, arguing more “efforts should have been directed at addressing her past trauma for domestic violence.” As the district court found, the record does not support mother’s contention. The county referred mother to “a domestic violence advocacy group,” and she “received counseling services.” The district court found that mother was in a “better position” than the county to know that her services did not focus on trauma and could have raised the issue with the county, the court, or her counselor. The district court also found that when mother raised this issue with her counselor, “trauma therapy was added to her program.”

Given the district court’s thorough findings showing the many services the county offered—including trauma-centered services—to rehabilitate mother, the district court did not err by making these findings and did not abuse its discretion by determining the county provided reasonable efforts to reunify the family.

**IV. The district court did not err by determining that termination of mother’s parental rights is in daughter’s best interests.**

A district court “must consider the child’s best interests and explain why termination is in the best interests of the child.” *D.L.D.*, 771 N.W.2d at 545; *see* Minn. Stat. § 260C.301, subds. 1(b), 7 (2020). The district court must consider both the child’s interests and the parent’s interests in preserving the relationship and “any competing interests of the child.” *In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 92 (Minn. App. 2012); *see* Minn. R. Juv. Prot. P. 58.04(c)(2)(ii) (requiring a district court to make findings on these factors before it can terminate parental rights). But “the best interests of the child must be the paramount consideration.” Minn. Stat § 260C.301, subd. 7. On appeal, “a district court’s best-interests analysis is reviewed for an abuse of discretion.” *In re Welfare of Child of J.R.R.*, 943 N.W.2d 661, 669 (Minn. App. 2020).

Mother did not address the district court’s best-interests findings or its analysis of the best-interests factors on appeal. Still, we discern no error in the district court’s findings and analysis. The district court found the GAL believed it would be in daughter’s “best interests” to remain with her relative foster parents. The district court acknowledged that the GAL and the county agreed it would be good for mother and daughter to maintain a relationship, but because daughter had been out of the home for “603 days,” their

relationship differs from a parent-child relationship. The court considered mother's interests and found that mother loves daughter "very much" and that preserving the parent-child relationship for both mother and daughter is a "not insubstantial" interest. But the district court also found mother was "not in a position to assume full-time care" of daughter to promote daughter's "healthy mental and emotional development." The district court noted that daughter's relative foster parents are willing to be a permanent placement and are willing to support an ongoing relationship between mother and daughter.

The district court found daughter needs permanency and stability, and the GAL opined that adoption would accomplish those goals. The district court found daughter's behaviors improved while in foster care, she could stay on a regular schedule, and she received services for her special needs.

Based on these findings, the district court determined termination and adoption to be in daughter's best interests because they were "realistic" and "likely to permit a continuing relationship" between mother and daughter, and they would ensure daughter had caregivers who could "provide her with much-needed safety and stability." Because the district court identified the best interests of both mother and daughter, weighed those interests, and determined termination was in daughter's best interests, the district court did not abuse its discretion by determining termination of mother's parental rights was in daughter's best interests.

**Affirmed.**