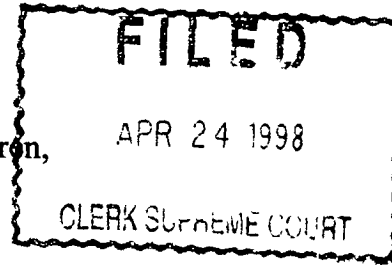


IN THE COURT OF APPEALS OF IOWA

No. 8-183 / 97-1845

Filed April 24, 1998



IN THE INTEREST OF J.S. and C.S., Minor Children,

S.S., Mother,
Appellant.

Appeal from the Iowa District Court for Linn County, Susan F. Flaherty,
Associate Juvenile Judge.

The mother of two minor children appeals a district court order terminating her
parental rights. **AFFIRMED.**

Mark C. Meyer of Kinnamon, Kinnamon, Russo & Meyer, Cedar Rapids, for
appellant.

Thomas J. Miller, Attorney General, Barbara E.B. Galloway, Assistant
Attorney General, and Karl Henderson, Assistant County Attorney, for appellee State.

David S. Nelson of Nelson & Nelson, Cedar Rapids, guardian ad litem for
minor children.

Considered by Cady, C.J., and Huitink and Streit, JJ.

PER CURIAM

Shawna is the mother of Joseph, born in July 1990, and Cheyenne, born in October 1991. Randy is the father of Joseph, and Kenneth is the father of Cheyenne. The fathers have not been involved in the children's lives. Shawna appeals the decision of the juvenile court terminating her parental rights to these two children.

The Department of Human Services (DHS) became involved in August 1993 when Shawna was arrested for domestic abuse assault causing injury after she was involved in a fight with her paramour at that time. Shawna had a blood alcohol level of .130. DHS issued a founded report of denial of critical care. The children were temporarily placed in foster care for a few days, then returned to Shawna's care. The children were adjudicated to be children in need of assistance, pursuant to Iowa Code section 232.2(6)(n).

Shawna began in-home family therapy in October 1993, and worked on issues of parent skill development, positive relationships, substance abuse, and domestic abuse. She participated in a social history. Shawna had a substance abuse evaluation, which recommended abstinence and counseling. She became involved in a relationship with Bobby.

In March 1994, Shawna was evicted from her apartment after a fight with Bobby which caused damage to the apartment. The children were home during the argument. Shawna pled guilty to a charge of third-degree criminal mischief. She

broke-up with Bobby for a period of time, and began to attend a batterer's education program.

In September 1994, Joseph sustained some injuries and told day care providers his mother had hit him. Shawna was injured in a domestic dispute with Bobby, with whom she had reunited. The children were then removed from the home and placed in foster care.

Shawna became less cooperative with services. Her in-home social worker asked to be removed because she felt threatened by verbally aggressive statements made by Shawna. A new caseworker was assigned to the case. In December 1994, Shawna became hostile to a social worker during a supervised visit with the children, which frightened the children.

In January 1995, Shawna left Iowa and moved to Wisconsin in order to get away from her abusive relationship with Bobby. She had no contact with the children from January 1995 until September 1995.

In the Summer of 1995, Shawna moved back to Iowa and began living with Bobby. She obtained full-time employment. Shawna continued to use alcohol. She was arrested in March 1996 for violation of the open container law.

Joseph and Cheyenne have some behavioral problems. Joseph was diagnosed with possible reactive attachment disorder. Cheyenne was diagnosed with reactive attachment disorder with oppositional defiant traits. Cheyenne was placed on medication to help her control aggression. Both children attend play therapy. The

children's behavior became worse after visits with Shawna. A couple is interested in adopting the children.

On November 15, 1996, the State filed a petition to terminate Shawna's parental rights. In November 1996, Shawna obtained a new substance abuse evaluation, which did not recommend treatment. She completed a psychiatric evaluation. The results showed antisocial personality traits and anger management counseling was recommended.

At the termination hearing, Shawna testified she was no longer involved with Bobby, but still maintained a friendship with him. The juvenile court found Shawna had continuing problems with domestic abuse. The court concluded the children would be at risk for physical abuse, emotional abuse, neglect, and lack of supervision if returned to Shawna. The court terminated Shawna's parental rights pursuant to sections 232.116(1)(e) and (k). The parental rights of the children's fathers were also terminated. Shawna has appealed.

I. The scope of review in termination cases is *de novo*. *In re S.N.*, 500 N.W.2d 32, 34 (Iowa 1994). The grounds for termination must be proven by clear and convincing evidence. *In re E.K.*, 568 N.W.2d 829, 830 (Iowa App. 1997). Our primary concern is the best interests of the child. *In re A.B.*, 554 N.W.2d 291, 293 (Iowa App. 1996).

II. Shawna contends the State failed to present clear and convincing evidence the children could not be returned to her care, which is a requirement of

section 232.116(1)(e). She believes the juvenile court improperly required her to be a “super parent” due to the children’s behavioral problems. She states the children did not have behavioral problems when they were in her care and it is not clear her care is the cause of their problems. Shawna asserts the children would do better if returned to her care.

We find clear and convincing evidence the children cannot be returned to Shawna’s care. Shawna has not addressed her domestic abuse problems. She refuses to acknowledge the detrimental effect her involvement with domestic abuse had on the children. Additionally, Shawna had not addressed her problems with anger management. There are also concerns that Shawna continued to use alcohol. We determine Shawna’s parental rights were properly terminated under section 232.116(1)(e).

III. When the juvenile court terminates parental rights on more than one statutory ground, we need only find grounds to terminate under one of the sections cited by the juvenile court to affirm. *In re A.J.*, 553 N.W.2d 909, 911 (Iowa App. 1996). We have already found Shawna’s parental rights were properly terminated under section 232.116(1)(e), and, therefore, need not address her claims regarding section 232.116(1)(k).

IV. Shawna claims termination is not in the children’s best interests. She believes the children’s behavioral problems would resolve if they were returned to her care.

The children's behavioral problems became more apparent when Shawna left for several months and went to Wisconsin. When Shawna returned, the children's behavior became worse after visits. The children need stability, and Shawna has not been able to provide this to them. We determine termination is in the children's best interests.

We affirm the decision of the juvenile court terminating Shawna's parental rights to Joseph and Cheyenne.

AFFIRMED.