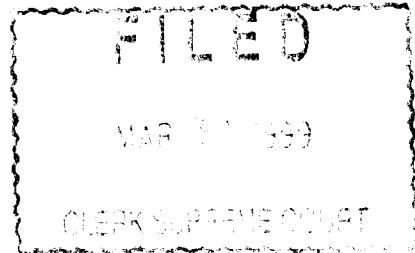


IN THE COURT OF APPEALS OF IOWA

No. 9-057 / 98-1563
Filed March 31, 1999

IN THE INTEREST OF T.C., K.E., and T.E.,
Minor Children,

A.S., Mother,
Appellant.



Appeal from the Iowa District Court for Black Hawk County, Daniel L. Block,
Associate Juvenile Judge.

Mother appeals a juvenile court order terminating her parental rights.

AFFIRMED.

Richard K. Betterton of Snow, Knock, Sevcik & Betterton, Cedar Falls, for
appellant.

Thomas J. Miller, Attorney General, and Charles K. Phillips, Assistant
Attorney General, for appellee-State.

Sharon B. Briner, Waterloo, guardian ad litem for minor child.

Considered by Huitink, P.J., and Vogel and Zimmer, JJ.

HUITINK, P.J.

Angela is the mother of Troyvolion, born in March 1994; Keishawn, born in November 1995; and Tyreike, born in October 1996. She appeals the decision of the juvenile court which terminated her parental rights. We affirm on appeal.

All three children have reactive airway disease. In March 1997, Keishawn and Tyreike were in the hospital for respiratory problems. A hair test conducted at the hospital revealed Tyreike had been exposed to cocaine. Angela agreed to take a drug test, which showed positive for marijuana, but not cocaine. Angela believed Tyreike must have been exposed to cocaine while in the care of a babysitter.

In April 1997, the Department of Human Services (DHS) issued a founded report due to Angela's failure to take the children to medical appointments. In June 1997, Tyreike suffered burns on his leg when he fell off a sofa onto a hot iron. Angela did not seek medical assistance for him. DHS issued founded reports for failure to supervise and failure to provide medical care. The children were removed from Angela's care and placed in foster care.

Angela stipulated the children were in need of assistance, apparently under Iowa Code section 232.2(6)(k) (parent for good cause desires to be relieved of the child's care and custody). Angela admitted she was homeless and unable to provide a home for the children. Under the case permanency plan, she was required to have a substance abuse evaluation, participate in drug testing, find a stable home, attend parent skill services, and cooperate with visitation.

Angela was not cooperative with services. She suffers from depression but refused to take any medication. Her substance abuse evaluation recommended outpatient treatment. Angela was unsuccessfully discharged from treatment due to lack of attendance and participation. She refused to provide drug tests, enter a housing program, or attend a parenting class. Angela did participate in visitation with the children and she received parenting skills sessions during these times. However, she made threatening comments to social workers and the foster parents in front of the children.

The State filed a petition for termination of parental rights in February 1998. Angela began individual counseling the same month. In March 1998, Angela pled guilty to extortion and possession of a controlled substance (marijuana). She was placed on probation. As part of her probation, she was required to provide drug tests. Some drug tests showed positive for marijuana.

The children have done well in foster care. They have some developmental delays and still have breathing problems. An adoption specialist testified the children were considered to be adoptable as a sibling group.

The juvenile court terminated Angela's parental rights pursuant to Iowa Code sections 232.116(1)(c), (d), (g), and (h). The court found Angela had been hostile to social workers. Moreover, she was unable to focus on the issues which led to the removal of the children. The court concluded termination was in the best interests of

the children. The parental rights of the children's fathers were also terminated. Angela appealed.

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 children. *In re A.B.*, 554 N.W.2d 291, 293 (Iowa App. 1996).

Angela contends her parental rights should not have been terminated under section 232.116(1)(g). She asserts there is insufficient evidence to show the children could not be returned to her care at the present time. Angela's former foster mother, Lena, testified Angela and the children could live with her for a period of time. Angela believes her main problem was housing, and claims she can now adequately care for the children.

We find the children could not be returned to Angela's care at the present time. Angela has not addressed the issues which led to the removal of the children. Her hostility to social workers kept her from getting the help she needed. She has not taken steps to address her substance abuse problems and continues to use marijuana. She has done very little to address her depression. Lena's offer of housing was only temporary, and Angela remains essentially homeless. For these reasons, we determine Angela's parental rights were properly terminated under section 232.116(1)(g).

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). Because we find termination of Angela's parental rights was proper under section 232.116(1)(g), we do not need to address her claims regarding sections 232.116(1)(c), (d), and (h).

We affirm the decision of the juvenile court terminating Angela's parental rights to Troyvolion, Keishawn, and Tyreike.

AFFIRMED.