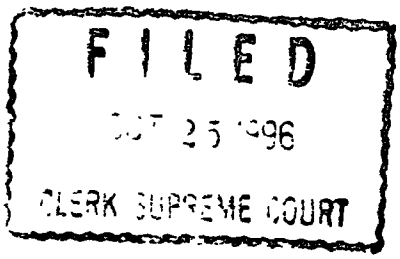
IN THE COURT OF APPEALS OF IOWA

No. 6-562 / 96-1012



IN THE INTEREST OF F.F. and J.F., Minor Children,

J.J., Mother,
Appellant.

Appeal from the Iowa District Court for Dubuque County, Jane C. Mylrea, Associate Juvenile Judge.

The mother appeals the juvenile court's order terminating her parental rights pursuant to Iowa Code section 232.116(1)(e) (1995). **AFFIRMED.**

Thomas J. Straka, Dubuque, for appellant.

Thomas J. Miller, Attorney General, Gordon E. Allen, Deputy Attorney General, Fred H. McCaw, County Attorney, and Jean A. Becker, Assistant County Attorney, for appellee.

Decided en banc.

PER CURIAM

Julie is the mother of Frisco, born in 1987, and Jessica, born in 1990. The Department of Human Services became involved with the family in July 1993 when Julie voluntarily asked to have the children placed in foster care while she obtained treatment for her depression. She was referred for outpatient counseling, but did not keep all of her appointments. Julie regained custody of the children in August 1993.

DHS had concerns about health and safety issues in the home. A worker found a paring knife in a crib, and there were many pieces of silverware on the floor. Cleanliness in the home was substandard. Also, Julie would allow many other people to stay in the home. On September 1, 1993, the children were adjudicated to be children in need of assistance. Custody of the children was placed with Julie, under supervision by DHS.

Julie was sporadic in her acceptance of services. In January 1994, the children were placed in foster care because Julie was planning to move them out of the county, in violation of a court order. Julie had limited visits with the children after she moved. In September 1994, the children were placed with their father, Leo. On April 7, 1995, the children were again placed in foster care.

Julie moved back to the area in February 1995. She progressed from supervised visitation to unsupervised visitation, to overnight visitation. She attended a nurturing program, but seemed unable to implement what she had learned. Julie was inconsistent in attending counseling for her depression. In November 1995, Julie

started a romantic relationship with Casey. In January 1996, DHS issued a founded report of child abuse when Casey repeatedly fired gun shots into a ceiling and wall. Julie had no contact with the children after February 1996, and was not present at the termination hearing. There was evidence a family was interested in adopting the two children.

The State filed a petition for termination of the parental rights of Julie and Leo under Iowa Code section 232.116(1)(e). Leo consented to the termination of his parental rights. The court found the children could not be returned to Julie's care because she had not improved her parenting skills. The court also found termination was in the children's best interests because they were in need of permanency. The court terminated Julie's parental rights to Frisco and Jessica. Julie appeals.

I. The scope of review in termination cases is de novo. *In re S.N.*, 500 N.W.2d 32, 34 (Iowa 1993). Our primary concern is the best interests of the child. *In re A.Y.H.*, 508 N.W.2d 92, 94 (Iowa App. 1994). Those best interests include the children's long-range as well as immediate interests. *Id.* The grounds for termination must be proven by clear and convincing evidence. *In re R.K.K.*, 544 N.W.2d 274, 277 (Iowa App. 1995).

II. Julie contends the State failed to present clear and convincing evidence the children could not be returned to her care. She points out she attended the Nurturing-Parent Program and engaged in individual therapy. Julie admits she would need help parenting the children if they were returned to her care.

We find there was clear and convincing evidence the children could not be returned to Julie's care. There was evidence that although Julie attended the Nurturing-Parent Program, her parenting skills did not improve. Julie continued to have problems with safety and cleanliness. She changed residences frequently and was inconsistent in showing up for visitation. She continued to associate with inappropriate paramours and would place her relationship with these paramours over the needs of the children.

III. Julie claims termination was not in the best interests of the children. She states she loves her children and there is a bond between them which should not be broken.

We find termination is in the children's best interests. We have already found the children cannot be returned to the mother at this time. Maintaining children in long-term foster care is not in their best interests. *In re J.L.P.*, 449 N.W.2d 349, 353 (Iowa 1989). We must reasonably limit the time for parents to be in a position to assume care of their children because patience with parents can soon translate into intolerable hardship for the children. *A.Y.H.*, 508 N.W.2d at 96. Furthermore, Julie's chaotic and vagabond lifestyle did not give the children the stability and permanency they needed.

IV. Finally, Julie contends DHS made insufficient efforts to reunite her with the children. She states her main problem was co-dependence on others, and she was not offered services to correct this problem.

Reasonable services must be provided to attempt to reunite the family before the State can terminate parental rights. *In re L.M.W.*, 518 N.W.2d 804, 807 (Iowa App. 1994). This is the first time the mother has made any request for services to deal with co-dependency. She did not object to DHS case permanency plans. We also note Julie received individual counseling, where she could have addressed the issue of co-dependency. We find the services which were offered were reasonable under the facts of the case.

We affirm the decision of the juvenile court to terminate Julie's parental rights to Frisco and Jessica.

AFFIRMED.