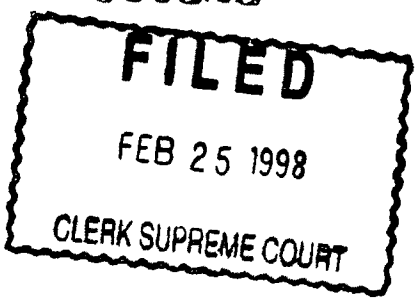
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IN THE COURT OF APPEALS OF IOWA

No. 8-058 / 97-1698

IN THE INTEREST OF C.V., A.V., M.V. and V.V.,
Minor Children,

J.L., Mother,
Appellant.

Appeal from the Iowa District Court for Woodbury County, Mary L. Timko, Associate Juvenile Judge.

Mother appeals from the juvenile court order terminating her parental rights.

AFFIRMED.

Joe Flannery of Neary & Flannery, LeMars, for appellant.

Thomas J. Miller, Attorney General, Diane M. Stahle, Special Assistant Attorney General, and Dewey P. Sloan, Assistant county Attorney, for appellee-State.

Marchelle M. Roberts, Sioux City, guardian ad litem for minor children.

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

VOGEL, J.

On August 21, 1997, the Woodbury County Juvenile Court terminated the mother's (Jacqueline) and father's (Robert) parental rights to Crystal, born April 22, 1981, Angela, born January 7, 1983, Melissa, born June 14, 1984, and Vanessa, born March 9, 1986. Jacqueline appeals, arguing the Department of Human Services (DHS) did not make reasonable efforts to reunite the family and the court did not choose other, viable options instead of termination. Robert does not appeal. Robert is from the Minnesota Chippewa Tribe and the court determined on July 5, 1996 the Indian Child Welfare Act applied to these children. Although the tribe was notified, it took no part in these proceedings. The parties stipulated reasonable efforts had been made to provide remedial services and rehabilitative programs to prevent the breakup of a Native American family, as required by the Indian Child Welfare Act, and that those efforts had been unsuccessful.

Jacqueline admits a substance abuse problem with cocaine, marijuana, and methamphetamine. She has tried inpatient and outpatient treatments on a sporadic basis but always relapses. She was unwilling to participate in court-ordered evaluation and treatment. Between April and September 1996, Jacqueline was arrested twice for frequenting a disorderly house, once for burglary, and once for loitering for prostitution. In December, 1996, Jacqueline went to Texas to try to overcome her addiction on her own—without success. She currently is incarcerated in Nebraska for a parole violation of her earlier conviction for possession of methamphetamine.

The children have been in foster care since their removal in July 1995. Crystal left home at age twelve and, at age fourteen, had a relationship with a twenty-two-year-old man and bore a daughter. The two middle girls have had some adjustment problems because of a significant history of sexual abuse while in their mother's care. They have been out of the foster home on occasion for residential care.

We review termination cases de novo. *In re S.N.*, 500 N.W.2d 32, 34 (Iowa 1993. Our primary concern is the best interests of the children. *In re A.B.*, 554 N.W.2d 291, 293 (Iowa App. 1996). "At some point, the rights and needs of the child rise above the rights and needs of the parents." *In re J.L.W.*, 570 N.W.2d 778, 781 (Iowa App. 1997). The legislature has determined the interval for which patience with parents may last. Iowa Code section 232.116(1)(e) sets that period in this situation at eighteen months. "This period must be reasonably limited because patience on behalf of the parent can quickly translate into intolerable hardship for the children." *In re R.J.*, 436 N.W.2d 630, 636 (Iowa 1989).

Jacqueline has been unable to deal with her substance abuse problems in over two years. She has had more than enough time. These children need and deserve stability in their lives, which Jacqueline cannot provide. We find the juvenile court acted in the best interests of the children in terminating Jacqueline's parental rights.

AFFIRMED.