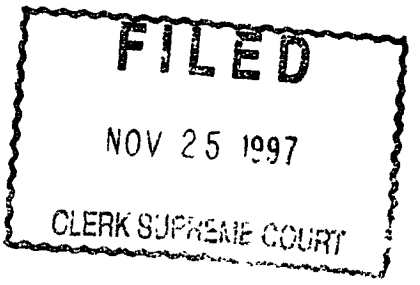
IN THE COURT OF APPEALS OF IOWA 000007

No. 7-643 / 97-1131



IN THE INTEREST OF R.T.A., Minor Child,

P.H., Mother,
Appellant.

Appeal from the Iowa District Court for Scott County, John G. Mullen, District Associate Judge.

A mother appeals from the termination of her parental rights to her minor child. **AFFIRMED.**

Jody R. Rowe, Bettendorf, for appellant.

Thomas J. Miller, Attorney General, Janet L. Hoffman, Assistant Attorney General, and Gerda Lane, Assistant County Attorney, for appellee.

Lawrence Lammers of McCarthy & Lammers, Davenport, for minor child.

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

HUITINK, J.

A mother appeals the termination of her parental rights to her son. She claims the State failed to produce sufficient evidence to support the termination. We affirm on appeal.

Patricia began to receive services in 1992 from the Department of Human Services (DHS) in regard to her child, Jazlyn. She did not cooperate with services, and at times was quite resistant. Her parental rights to this child were terminated in March 1996.

The present case involves Richard. Patricia and Earl are the parents of Richard, who was born in March 1995. When Richard was about three weeks old, Patricia brought him to the hospital because he had a high fever. She told hospital staff she was homeless. On March 20, 1995, DHS placed Richard in foster care. At that time, Earl was in jail, charged with third-degree sexual abuse of two girls.[1]

Richard was adjudicated a child in need of assistance on August 10, 1995. The court adopted the recommendations of the case permanency plan, which required Patricia to obtain a residence, seek psychological treatment, seek domestic abuse counseling, and complete parenting and nurturing skills training. The juvenile court recommended Patricia "establish a meaningful therapeutic relationship with someone to assist her with resolving the manifestations of her mental health status." Patricia has been diagnosed with borderline personality disorder and depression.

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[1] Earl remained incarcerated throughout the pendency of this case. He has not appealed the termination of his parental rights.

Patricia completed a parenting class. She attended supervised visitation and parenting skills sessions until October 1995, when she was incarcerated for possession of stolen property. In November 1995, Patricia was placed on probation, and visitation was reinstated. She attended only about sixty percent of the scheduled visitations, but when she did attend, she interacted appropriately with Richard.

In January 1996, Patricia began individual counseling, but only attended a few sessions. Patricia resumed a relationship with Larry, Jazlyn's father, even though they had a history of domestic violence. In February 1996, she was sent to jail for nonpayment of fines. She remained in jail until May 1996, when visitation was reinstated.

In September 1996, Patricia obtained an apartment. She attended three therapy sessions, but would not release her records to DHS. Patricia gave birth to Desmond in April 1997. Desmond has some health problems because Patricia did not follow through on treatment for venereal disease prior to his birth.

On January 15, 1997, the State filed a petition to terminate Patricia's parental rights to Richard. Patricia testified she had a new mental health evaluation in May 1997, which showed she had a general anxiety disorder, and not borderline personality disorder. She stated she had part-time employment. She testified she was now able to meet the requirements of the case permanency plan.

On June 6, 1997, the juvenile court terminated Patricia's parental rights to Richard under Iowa Code sections 232.116(1)(d), (f), and (g). Earl's parental rights were also terminated. Patricia 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). 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). Our primary concern is the best interests of the child. *In re A.B.,* 554 N.W.2d 291, 293 (Iowa App. 1996).

II. Patricia contends the State failed to show, by clear and convincing evidence, sufficient grounds for termination of her parental rights. We determine there is clear and convincing evidence in the record to support the termination of Patricia's parental rights under section 232.116(1)(f). This section requires the juvenile court to find all of the following have occurred:

> (1) The child has been adjudicated a child in need of assistance pursuant to section 232.96;
> (2) The court has terminated parental rights pursuant to section 232.117 with respect to another child who is a member of the same family;
> (3) There is clear and convincing evidence that the parent continues to lack the ability or willingness to respond to services which would correct the situation;
> (4) There is clear and convincing evidence that an additional period of rehabilitation would not correct the situation.

There is no dispute Richard was adjudicated a child in need of assistance and Patricia's parental rights to Jazlyn were terminated. The evidence presented in the case shows Patricia failed to respond to services. Patricia never sought domestic

abuse counseling and never addressed her relationships with abusive men. She did not adequately seek psychological treatment. Patricia attended a few therapy sessions, but did not enter into "a meaningful therapeutic relationship with someone to assist her with resolving the manifestations of her mental health status." Although Patricia claimed she had been previously misdiagnosed and did not actually need therapy, she did not release the results of the new mental health evaluation to DHS.

We find there is clear and convincing evidence an additional period of rehabilitation would not correct the situation. Patricia began to receive services in 1992. She is still unwilling to address her mental health problems or domestic abuse problems. Since Patricia has not been able to address these problems in the past, it is unlikely she will do so in the future. We conclude Patricia's parental rights were properly terminated under section 232.116(1)(f).

III. Patricia also raises arguments regarding sections 232.116(1)(d) and (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). We have already found Patricia's parental rights were properly terminated under section 232.116(1)(f), and, therefore, need not address these issues.

We affirm the decision of the juvenile court terminating Patricia's parental rights to Richard.

AFFIRMED.