IN THE COURT OF APPEALS OF IOWA

No. 1-729 / 01-0828
Filed December 12, 2001

FILED
DEC 12 2001
CLERK SUPREME COURT

IN THE INTEREST OF J.H., Minor Child,

V.H., Mother,
Appellant.

Appeal from the Iowa District Court for Linn County, Jane F. Spande, District Associate Judge.

Mother appeals challenging an order terminating her parental rights. **AFFIRMED.**

Mona Knoll, Cedar Rapids, for appellant.

Thomas J. Miller, Attorney General and Kathrine S. Miller-Todd, Assistant Attorney General, for appellee-State.

Christine Crilley, Cedar Rapids, guardian ad litem for appellee child.

Considered by Sackett, C.J., and Mahan and Hecht, JJ.

SACKETT, C.J.

Velera, the mother of Jared, born in June of 1999, appeals, challenging an order terminating her parental rights. Jared's father, Jeremy, who was never married to Velera, is not a party to this appeal. We affirm.

Velera was seventeen when Jared, her second child, was born. Her parental rights to her first child, born when she was thirteen, had previously been terminated. At the time Jared was conceived Velera had run away from the Iowa Juvenile Home. She had been placed there by the juvenile court. Velera used cocaine and marijuana during her pregnancy and at the time of Jared's birth she suffered from hepatitis C.

In July of 1999 Jared was found to be a child in need of assistance. The finding was made because both his parents needed substance abuse treatment, and Jeremy was incarcerated in a residential facility.

Jared and Velera were placed in Heart of Iowa. Shortly thereafter Jeremy ran from the residential facility where he was incarcerated, and Velera took Jared and left the Heart of Iowa. Though Jared could not be located, the issuance of an emergency order placed Jared's custody with the Department of Human Services. About three months later Jared and his parents were found. Jeremy was arrested, and Jared was placed with a foster care family.

The parents were again ordered to receive substance abuse treatment. Velera was diagnosed with major depressive disorder and cocaine and cannabis

dependence. She has not followed through with suggested treatments for either substance abuse or depression.

To Velera's credit she started to visit Jared shortly after he was placed in foster care. She was consistent with the visits and during the visits was found to be nurturing and caring towards her son. However, when it was reported in June of 2000 that she was going to run with Jared, her visits were suspended. Her parental rights were terminated following a hearing in April of 2001. The juvenile court found grounds to terminate under Iowa Code section 232.116(1)(b) (1999); 232.116(1)(d); 232.116(1)(f); and 232.116(1)(g). The court specifically found that Velera (1) had no home for Jared; (2) continued to use and depend on illegal controlled substances; and (3) was not treating her depression. The court further found that she was unable to respond to Jared's needs, and she herself was in need of parenting and supervision.

Velera contends there is not clear and convincing evidence to terminate under these grounds. We review de novo and give weight to the findings of the juvenile court, particularly with respect to the credibility of witnesses. *In re R.R.K.*, 544 N.W.2d 274, 275 (Iowa Ct. App. 1995). When the juvenile court terminates parental rights on more than one statutory ground, we need only find the State has proven one of those grounds by clear and convincing evidence under one of the stated code sections to affirm the termination. *See In re A.J.*, 553 N.W.2d 909, 911 (Iowa Ct. App. 1996).

Following our review we agree with the factual findings made by the juvenile court and find there is clear and convincing evidence supporting termination under Iowa Code sections 232.116(1)(f) and (g). We affirm on this

basis and therefore find it unnecessary to address Velera's challenge to termination under Iowa Code section 232.116(1)(b).

AFFIRMED.