

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A22-0013**

In the Matter of the Welfare of the Children of: A. D. J., Parent.

**Filed September 6, 2022
Affirmed
Larson, Judge**

Hennepin County District Court
File No. 27-JV-21-421

A.D.J., Minneapolis, Minnesota (pro se appellant)

Michael O. Freeman, Hennepin County Attorney, Mary M. Lynch, Assistant County Attorney, Minneapolis, Minnesota (for respondent Hennepin County Health and Human Services)

Stephanie Guadalupe, Minneapolis, Minnesota (guardian ad litem)

Considered and decided by Tracy Smith, Presiding Judge; Johnson, Judge; and Larson, Judge.

NONPRECEDENTIAL OPINION

LARSON, Judge

Appellant mother, A.D.J., appeals the involuntary termination of her parental rights.¹ Because mother inadequately briefed her arguments and we see no prejudicial error upon mere inspection, we affirm.

¹ Father's parental rights, which he voluntarily terminated, are not at issue in this appeal.

FACTS

Mother gave birth to twins in September 2018. The twins were immediately placed with foster parents because mother admitted to drug use during her pregnancy. Mother regained custody in October 2018 after she entered treatment, and mother continued to parent the twins until June 2020. In June 2020, respondent Children's Services Department of Hennepin County (the department) received a report that mother was walking down the street swinging the twins by their arms. One twin lacked a diaper, and the other had a soiled and wet diaper. The twins wore t-shirts, and only one twin wore shoes. The reporter stated that mother appeared manic and under the influence of drugs. The department placed the twins in foster care out of concern for their safety. The twins have remained in foster care since the incident.

In February 2021, the department petitioned the district court to terminate mother's parental rights. During a three-day trial, the district court heard testimony from three social workers, the guardian ad litem, mother, and mother's witness. The social workers testified that they created two case plans for mother, but she signed neither plan. Mother also failed to follow the case plans or address her chemical dependency—steps that could have led to regaining custody. One social worker testified about mother's struggle with sobriety and its negative effect on her ability to parent. Despite the requirement in her case plans that mother participate in random drug testing, mother failed to submit any random urinalysis tests. The social workers testified that mother had safe and suitable housing. However, one social worker testified that mother's failure to address her chemical dependency meant mother could not be reunified with the twins in the reasonably foreseeable future.

The district court found the social workers' testimonies credible and terminated mother's parental rights. Mother appeals.

DECISION

In her one-page informal brief, mother asserts that we should reverse the order terminating her parental rights because she has housing and employment when she leaves treatment, and she wants to be sober for her children. But mother fails to articulate a legal basis for reversal or support her claims with legal argument or authority. "An assignment of error based on mere assertion and not supported by any argument or authorities in appellant's brief is waived and will not be considered on appeal unless prejudicial error is obvious on mere inspection." *Schoepke v. Alexander Smith & Sons Carpet Co.*, 187 N.W.2d 133, 135 (Minn. 1971); *see also In re Welfare of Child of J.H.*, 968 N.W.2d 593, 602 n.7 (Minn. App. 2021) (applying *Schoepke* in an appeal from a termination of parental rights), *rev. denied* (Dec. 6, 2021). No prejudicial error exists when this court carefully considers the circumstances and observes no obvious error. *Scheffler v. City of Anoka*, 890 N.W.2d 437, 452 (Minn. App. 2017), *rev. denied* (Minn. Apr. 26, 2017).

We conclude the district court made no obvious error when it terminated mother's parental rights. A district court should only terminate parental rights "for grave and weighty reasons." *In re Welfare of H.G.B.*, 306 N.W.2d 821, 825 (Minn. 1981). We will affirm the district court's decision to terminate parental rights when: (1) clear and convincing evidence supports "at least one statutory ground for termination"; (2) "the county has made reasonable efforts to reunite the family"; and (3) "termination is in the best interests of the child." *In re Welfare of Child. of S.E.P.*, 744 N.W.2d 381, 385 (Minn.

2008). We have carefully reviewed the record and observe no obvious prejudicial error in the district court's application of these factors.

First, the district court based its decision to terminate mother's parental rights on four statutory grounds. Minn. Stat. § 260C.301, subds. 1(b)(2), (4), (5), (8) (2020). The district court found that mother failed to complete her case plans, suffered from chronic chemical dependency, and was neither able to care for nor expected to be able to care for her children in the reasonably foreseeable future. As relevant to mother's housing and employment arguments, the district court acknowledged that mother had safe housing and was employed at the time of trial. But the district court found these facts did not outweigh her failure to complete her case plans and address her chemical dependency.

Next, the district court decided the department made reasonable efforts to reunite the family. The district court noted that the department identified foster placements for the twins for 18 months and prepared two case plans for mother. The department communicated with mother, offered her referrals for service providers, and provided a meaningful opportunity for mother to address the issues that caused the foster placement.

Last, the district court determined that terminating mother's parental rights was in the best interests of the children. With respect to mother's argument regarding sobriety, the district court acknowledged that mother loves her children and has made progress toward sobriety. But the district court relied on the twins' need to have a consistent caregiver and stable environment and mother's inability to meet the twins' basic needs.

After inspecting the record, we observe no obvious prejudicial error.

Affirmed.