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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A22-0362**

In the Matter of the Welfare of the Child of:
N. U. M. and R. E. F., Parents.

**Filed November 7, 2022
Affirmed
Bratvold, Judge**

Washington County District Court
File No. 82-JV-21-245

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Kevin Magnuson, Washington County Attorney, Erin A. Johnson, Assistant County Attorney, Stillwater, Minnesota (for respondent Washington County Child Protection)

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Considered and decided by Wheelock, Presiding Judge; Bratvold, Judge; and Cochran, Judge.

NONPRECEDENTIAL OPINION

BRATVOLD, Judge

On appeal from an order terminating parental rights to a two-year-old daughter, appellant-mother argues the district court erred by determining that (1) mother failed to rebut the statutory presumption that she is an unfit parent, (2) clear and convincing evidence establishes that mother neglected the duties of the parent-child relationship, and (3) termination is in the child's best interests. We need not address whether the district court erred by determining that mother failed to rebut the statutory presumption because

any error was harmless. We also conclude that the district court did not abuse its discretion by determining that mother neglected her parental duties and that termination is in the best interests of the child. Thus, we affirm.

FACTS

The following summarizes the procedural history and factual findings after a bench trial. We have included record evidence when helpful to the issues on appeal.

Appellant N.U.M. (mother) was born in 1993 and has two children: A.M.-K. (son), born in 2013, and P.M. (daughter), born in December 2019. The district court terminated mother's parental rights to son in January 2016. We briefly discuss the facts in the prior proceedings because the prior termination is relevant to the presumption of unfitness applied in this case.

In March 2014, Hennepin County opened a child-protection case involving son based on mother's "unstable mental health and inability to provide appropriate parenting." Mother participated in the services offered, and Hennepin County dismissed the case in September 2014. Soon after, Hennepin County filed a petition alleging that son was a child in need of protection or services (CHIPS), and son was placed in foster care. Later, Hennepin County petitioned for termination of mother's parental rights (TPR) to son.

Following a trial, mother's parental rights to son were involuntarily terminated in January 2016.¹ The district court found that mother failed to address her mental health,

¹ The district court's termination order found statutory grounds by clear and convincing evidence under Minn. Stat. § 260C.301, subd. 1(b)(2) (neglecting the duties of the parent-child relationship), (5) (following an out-of-home placement, reasonable efforts failed to correct conditions), (8) (child is neglected and in foster care) (2014).

could not regulate her emotions, and could not “safely parent” son. The district court found that mother “clearly love[d]” son and “availed herself of various services offered by the county,” but also found that mother can only “successfully parent for a few days on her own” before needing “significant help—not just a break—to continue to be able to parent.”²

Hennepin County and Ramsey County Protective Proceedings Involving Daughter

Hennepin County opened a child-protection case for daughter and later petitioned to terminate mother’s parental rights to daughter, citing the presumption of unfitness resulting from mother’s previous TPR. In August 2020, the district court granted mother’s motion to dismiss the TPR petition over Hennepin County’s opposition.

While the Hennepin County proceedings were pending, in March 2020, Ramsey County received a report that mother left daughter alone in the apartment while mother “smoked marijuana in a vehicle.” Ramsey County conducted a family assessment but closed its case because “the Hennepin County court case was ongoing at the time.”

In November 2020, Ramsey County opened a child-protection case after mother requested a placement for daughter while mother was “hospitalized for a herniated disk and chronic pain.” The “very day” daughter was returned to mother’s care in December 2020, Ramsey County received a report of mother leaving daughter “home alone for one to two hours while [mother] took an Uber to court.” Ramsey County closed the case because mother was working with the Parent Support Outreach Program.

² Mother appealed, and this court affirmed the termination order. *In re Welfare of Child of N.U.M.*, No. A16-0545, 2016 WL 4497594 (Minn. App. Aug. 29, 2016).

In December 2020, mother began using the services of Safe Families for Children (SFC), which provided mother with transportation and cleaning services as well as respite care for daughter. Between December 30, 2020, and May 8, 2021, daughter spent 65 nights with mother and 65 nights in respite care through SFC.

Washington County Protective Proceedings Involving Daughter

On May 14, 2021, Washington County received a report from daughter's daycare that daughter "wore the same clothes multiple days in a row, came to daycare smelling of urine and feces and wearing the same diaper as the previous day, and did not appear to be adequately fed at home because she would rummage in the garbage for food." Daycare providers also reported that mother stated she gave daughter "crushed Benadryl and melatonin" so daughter would sleep. The assigned county social worker visited mother's home, but mother refused to speak with her and would not let her inside the home.

On May 17, 2021, the social worker returned to mother's home with a Washington County detective, but mother "again refused to open the door and yelled or talked over" the social worker and detective. On May 21, when mother and the social worker met, mother blamed the daycare for daughter's hygiene. Mother also stated that a doctor advised her to give daughter Benadryl or melatonin to sleep. The social worker observed mother's home and found it "to be sufficient for a child."

Also in May 2021, SFC informed mother that it could no longer provide care for daughter "because [mother] was not complying with the child protection assessment," and SFC "had concerns about [mother's] mental health and need for professional support

services.” The SFC social worker who had provided respite care for daughter agreed to keep providing care at mother’s request and ultimately became daughter’s foster parent.

On May 24, 2021, Washington County received a report from a Lyft driver who transported mother to buy tobacco that mother left daughter in the home alone during the 25-minute trip.

On May 26, 2021, Washington County filed an expedited TPR petition and requested an order for immediate custody of daughter. At the May 28 hearing, mother received court-appointed counsel, and daughter was placed in protective care. The district court ordered mother to “complete a psychological evaluation and participate in parenting services.”

In June 2021, mother hired private counsel to replace her court-appointed counsel. The district court appointed a guardian ad litem (GAL). Washington County asked the district court to allow it to “cease reasonable efforts towards reunification” because of mother’s previous TPR. The district court deferred ruling on the county’s request.

On July 14, 2021, Washington County filed an out-of-home placement plan. Mother, however, refused to communicate with the social worker after the plan was prepared, and the plan was submitted to the district court without mother’s signature. The placement plan provided that mother agree to psychological and parenting assessments, participate in parenting-skills classes, and cooperate with the GAL and Washington County service providers. The plan was later amended and filed with the district court after mother again refused to sign it.

In August 2021, mother participated in a court-ordered parenting assessment. The assessment noted that mother “would call off all services and visits only to ask for them to resume either hours later or the next day.” During the interview, mother admitted she did not have a support system or “anyone she can turn to with a problem.” The assessment summary stated that mother cared about her daughter but “seemed to misunderstand her daughter’s cues” and that mother’s “physical needs sometimes got in the way of interacting with her daughter.” The assessment also noted that mother “seemed reluctant to learn from previous faults.” The assessment recommended that mother follow through on the case plan, attend individual therapy, undergo a neuropsychological evaluation, and attend parenting education.

In September 2021, Washington County referred mother to FamilyWise Services for parenting education. After two supervised visits with daughter, mother sent an email stating she would discharge herself from FamilyWise because she felt the reports generated from the visits were “not credible.” Mother stated she was receiving parenting education from First Care Pregnancy Center, but mother revoked her release for Washington County to obtain information. Mother next claimed she was receiving parenting education from One Stop, but the assigned Washington County social worker discovered One Stop does not provide parenting education.

In October 2021, mother discharged her private counsel and “affirmed that she understood she would be assigned the same court-appointed attorney as she originally had.” At the December 7, 2021 pretrial hearing, mother discharged her court-appointed counsel and announced her intention to represent herself. On December 16, after Washington

County amended its TPR petition, mother requested a new court-appointed attorney, but the district court denied mother's motion.

On December 20, 2021, daughter completed a diagnostic assessment with Sarah Bumgarner. Bumgarner's report stated, "Given the information presented, the child appears to meet DC:0-5 diagnosis of posttraumatic stress disorder." At a subsequent meeting to discuss daughter's assessment, mother did not agree with the diagnosis and did not believe daughter needed therapy.

Termination Trial and the District Court's Decision

At the February 7-8, 2022 trial on the TPR petition, the district court heard from two Washington County social workers, an SFC social worker, a clinical psychologist, the GAL, two family-service workers for Washington County, and mother.

A Washington County social worker testified that mother started therapy in June 2021 at the Lorenz Clinic but stopped therapy in October 2021. Mother then did an intake with Ellie Family Services but switched to Nystrom and Associates in November 2021. The social worker testified that she had ongoing concerns about mother's "impulsivity, her ability to control her emotions and to recognize her mental health needs in order to adequately address them to safely parent [daughter]."

The SFC social worker, who provided respite care for daughter and became her foster parent, testified that she began "hosting" daughter in December 2020. She stated that the reasons for respite care "varied between [mother] having court hearings, looking for employment, stress due to caring for [daughter], and needing mental breaks." The SFC social worker testified that the respite care was "almost every week" and agreed that it was

“always overnight and multiple days,” including stretches of time “more than a week.” The SFC social worker testified that when daughter was dropped off with mother, daughter would scream and appeared to not want to be with mother. The SFC social worker added that “these behaviors became more severe” over time.

A clinical psychologist testified about mother’s psychological evaluation. She testified that mother described parenting as “self-explanatory” and that mother said she would not change her parenting. The clinical psychologist also testified that she diagnosed mother with generalized anxiety disorder, that mother lacked sufficient coping skills, and that “if a parent is dysregulated there is the potential of engaging in unsafe behavior.” The clinical psychologist opined in her report that mother has a “high risk” of committing further abuse against daughter and testified that this was due to mother’s “denial of need for change or need for assistance, inability to acknowledge any concerns in parenting practices, or emotional regulation for social support.” While she recommended that mother engage in individual therapy, she also noted that therapy could be difficult because mother is not “willing to practice those skills, to attend sessions, to actually participate.”

The GAL testified at trial that she had observed mother and daughter together 12 times. The GAL recalled that daughter was very nervous during these visits and that daughter “did not want to be held by her mother.” The GAL stated that throughout the visits, mother did not typically engage with daughter and that the last visit “was one of the first times” she had seen mother engage with daughter. The GAL concluded, “based on reports that [mother] has not followed through on her recommendations from her psych eval,” that “it is in [daughter’s] best interest that the parental rights of [mother] be

terminated” because mother cannot currently provide a safe environment. The GAL expressed concerns that “the child’s needs are not being put first.”

The two Washington County family-service workers each testified that mother struggled to change daughter’s diaper during supervised visits and that mother struggled to engage with daughter and to communicate with service providers.

Mother testified that although she disagreed with the PTSD diagnosis for daughter, she believed therapy for daughter “could be beneficial because of the traumatic situation [daughter] is going through by being out of [mother’s] care.” Mother acknowledged that her parental rights to son had been terminated, but mother also testified that the allegations in the petition initiating that proceeding were “false,” the allegations in the Washington County case were “false,” and the Washington County social workers were “lying.” Mother testified that her back pain “does not make [parenting] difficult” and that she has “never needed help changing [daughter’s] diaper.”

Mother stated that she only participated in county services “because the court ordered it.” Mother also testified that she does not feel therapy is “necessary” for her because “there’s nothing mentally wrong with [her].” Still, mother testified that she was working with Nystrom for dialectical behavior therapy (DBT) and taking prescribed medication. Mother testified that she has herself as a support system and that “every single person that [she has] tried to use as a support system has stabbed [her] in the back and called CPS.” When asked what she would do if she needed help, mother replied, “I feel like I’ve learned my lesson with getting help because, like I said, getting help has gotten me punished every single time.”

In a March 9, 2022 order, the district court terminated mother’s parental rights to daughter.³ First, the district court determined that Washington County had made reasonable efforts to reunite mother and daughter.⁴ Second, the district court determined that mother had failed to rebut the statutory presumption of unfitness because mother did not show that her “conduct and abilities” have changed or improved since her parental rights were last terminated. Third, the district court determined that the evidence clearly and convincingly demonstrated that mother disregarded the duties of the parent-child relationship, that she was palpably unfit to parent, and that reasonable efforts had failed to correct the conditions leading to an out-of-home placement. Finally, the district court weighed the child’s interest in preserving the relationship, the parent’s interest in preserving the relationship, and the competing interests of the child; it then determined that “termination of parental rights is in [daughter’s] best interests.” Mother appeals.

DECISION

Parental rights should be terminated only “for grave and weighty reasons.” *In re Welfare of H.G.B.*, 306 N.W.2d 821, 825 (Minn. 1981). On appeal from a district court’s termination of parental rights, appellate courts review whether the district court’s findings “address the statutory criteria” for termination. *In re Welfare of Child. of T.R.*, 750 N.W.2d

³ The district court’s order also discussed daughter’s father and noted his parental rights are the subject of a separate proceeding.

⁴ Although the reasonable-efforts determination is not challenged on appeal, we note that the district court found mother received these services: out-of-home placement plans; referrals for a psychological evaluation, individual therapy, a parenting assessment, and parenting-skills education; supervised visits with daughter; transportation assistance; and a mental-health evaluation and therapy for daughter.

656, 660 (Minn. 2008). Appellate courts look at the “sufficiency of the evidence to determine whether it was clear and convincing.” *In re Welfare of Child. of S.E.P.*, 744 N.W.2d 381, 385 (Minn. 2008). Appellate courts give “[c]onsiderable deference” to the district court’s decision given its “superior position to assess the credibility of witnesses.” *In re Welfare of L.A.F.*, 554 N.W.2d 393, 396 (Minn. 1996).

We review the district court’s factual findings for clear error, but we review the district court’s “determination of whether a particular statutory basis for involuntarily terminating parental rights is present for an abuse of discretion.” *In re Welfare of Child. of J.R.B.*, 805 N.W.2d 895, 901 (Minn. App. 2011), *rev. denied* (Minn. Jan. 6, 2012). This means “we view the evidence in a light favorable to the findings. We will not conclude that a factfinder clearly erred unless, on the entire evidence, we are left with a definite and firm conviction that a mistake has been committed.” *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221 (Minn. 2021) (quotation and citation omitted). We must “fully and fairly consider the evidence, but so far only as is necessary” to determine if the evidence “reasonably tends to support the findings.” *Id.* at 223 (quotation omitted). “A district court abuses its discretion by making findings of fact that are unsupported by the evidence, misapplying the law, or delivering a decision that is against logic and the facts on record.” *Bender v. Bernhard*, 971 N.W.2d 257, 262 (Minn. 2022) (quotation omitted).

Appellate courts will affirm the district court’s decision to terminate parental rights when (1) “at least one statutory ground for termination is supported by clear and convincing evidence,” (2) “the county has made reasonable efforts to reunite the family,” and (3) “termination is in the best interests of the child.” *S.E.P.*, 744 N.W.2d at 385.

Mother does not challenge the county's reasonable efforts on appeal. Mother raises three issues: (1) the district court erred by determining that she did not rebut the presumption of unfitness, (2) the district court erred by determining that clear and convincing evidence supported statutory grounds for termination, and (3) the district court erred by determining that termination was in the child's best interests. We address these issues in turn.

I. We need not address whether the district court erred by determining that mother failed to rebut the presumption of unfitness because we determine that any error was harmless.

Courts must apply a presumption of palpable unfitness when a parent's rights to a child previously have been terminated involuntarily. Minn. Stat. § 260C.301, subd. 1(b)(4) (2020) (stating that a parent is presumed to be palpably unfit "upon a showing that the parent's parental rights to one or more other children were involuntarily terminated"). This statutory presumption is "easily rebuttable" if the parent introduces evidence that the parent can care for the child:

The statutory presumption imposes only a burden of production, which means that a parent may rebut the statutory presumption merely by introducing evidence that would justify a finding of fact that [the parent] is not palpably unfit. In other words, a parent seeking to rebut the statutory presumption needs to produce only enough evidence to support a finding that the parent is suitable to be entrusted with the care of the [child].

In re Welfare of Child of J.A.K., 907 N.W.2d 241, 245-46 (Minn. App. 2018) (quoting *In re Welfare of Child of R.D.L.*, 853 N.W.2d 127, 135-38 (Minn. 2014) (quotation marks omitted)). In determining whether a parent's evidence rebuts the statutory presumption, a

court should credit the parent's evidence without weighing it against any contrary evidence. *See In re Welfare of Child of J.W.*, 807 N.W.2d 441, 445-47 (Minn. App. 2011) (concluding that the parent's evidence, "if believed," would support a finding that the parent was not palpably unfit, and that the evidence was therefore sufficient to rebut the statutory presumption), *rev. denied* (Minn. Jan. 6, 2012).

The district court determined that mother did not rebut the statutory presumption that arose from the termination of her parental rights to son.⁵ Below, we affirm the district court's determination that clear and convincing evidence shows mother neglected the duties of the parent-child relationship as to daughter; therefore, we need not address whether mother rebutted the statutory presumption.

We note, however, that on this record, mother rebutted the statutory presumption. Any error in the district court's decision to the contrary is rendered harmless by our affirmance of the district court's determination that mother neglected the duties of the parent-child relationship. *See In re Welfare of D.J.N.*, 568 N.W.2d 170, 176 (Minn. App. 1997) (declining to reverse TPR decision for harmless error).

⁵ In determining that mother did not rebut the statutory presumption, the district court considered evidence contrary to mother's testimony. Mother testified that she was in individual therapy using DBT, had resumed taking her medications, and was physically able to parent. In the section of its written order discussing the statutory presumption, the district court weighed mother's testimony against that of the clinical psychologist, who testified that recovery from DBT takes a year to complete and noted that mother "had only recently completed an intake" for DBT. The district court also stated that mother "has minimally engaged in some services but has not sustained a relationship with a service provider for any meaningful length of time." Because the district court failed to consider mother's evidence as "if believed" and weighed mother's evidence against the county's evidence, the district court erred by determining that mother did not rebut the statutory presumption.

II. The district court did not abuse its discretion by determining that at least one statutory ground for termination was supported by clear and convincing evidence.

The district court found three statutory grounds supported termination of mother's parental rights: (1) mother neglected the duties of the parent-child relationship; (2) mother "is palpably unfit" to parent; and (3) "reasonable efforts . . . failed to correct the conditions leading to" daughter's out-of-home placement. Minn. Stat. § 260C.301, subds. 1(b)(2), (4), (5) (2020). On appeal, we need to determine only whether "at least one statutory ground for termination is supported by clear and convincing evidence" to affirm the district court's termination decision. *S.E.P.*, 744 N.W.2d at 385. We first consider mother's neglect of her parental duties.

A parent's rights may be terminated if the parent has "substantially, continuously, or repeatedly refused or neglected to comply with the duties imposed . . . by the parent and child relationship." Minn. Stat. § 260C.301, subd. 1(b)(2). Those duties include providing "food, clothing, shelter, education, and other care and control necessary for the child's physical, mental, or emotional health and development." *Id.* Parental duties also include a duty to "protect and care for the child." *J.R.B.*, 805 N.W.2d at 902 (quotation omitted). The district court must "determine that at the time of termination, the parent is not presently able and willing to assume [their] responsibilities and the condition will continue for the reasonably foreseeable future." *In re Welfare of A.M.C.*, 920 N.W.2d 648, 655 (Minn. App. 2018).

The district court determined that mother neglected her parental duties based, in part, on SFC providing respite care 50% of the time, mother's unwillingness to sign the

out-of-home placement plan, mother's failure to comply with the placement plan, and mother's consistent need for assistance during supervised visits. The district court found that during supervised visits, daughter was often apprehensive about approaching mother and often stayed near either the supervisor or another caregiver. The district court also found that when mother engaged with daughter, mother often missed daughter's cues and was then unreceptive to feedback from the supervisors.

These findings are fully supported by record evidence. For example, the Washington County social worker and the family-service providers testified that mother struggled to engage with daughter at the supervised visits and that mother had trouble changing daughter's diapers or recognizing daughter's feeding cues. The GAL and SFC social worker also testified about mother's failure to engage with daughter during visits and daughter's apprehension about visiting with mother.

Mother argues that by seeking respite care, she demonstrated her ability to meet daughter's needs. This argument is unpersuasive for two reasons. First, instead of mother meeting daughter's needs, the alternative caregivers were meeting daughter's needs during respite care and then returning daughter to mother's care, often a week later. The district court also commented that mother "consistently need[ed] to ask for assistance at [supervised] visits," reinforcing its determination that mother was unable to continuously meet daughter's needs.

Second, a parent's chronic mental illness that excessively impinges on the parent's care of a child supports a finding of parental neglect. *In re Welfare of B.L.W.*, 395 N.W.2d 426, 430 (Minn. App. 1986). Here, the district court found that mother "minimiz[es] her

mental health issues and how they impact her ability to function,” which has led to “a pattern of conduct that is of a duration and nature that renders [mother] unable to appropriately care for [daughter], now or in the reasonably foreseeable future.” In making this determination, the district court relied on record evidence. For example, the district court found mother’s untreated mental health caused her to fail “to recognize the risk of leaving a one-year-old home alone.” The district court also noted that mother “is at high risk of further abuse” of daughter.

The district court found that mother “did not consistently take her medication” and “disagreed with the diagnoses of the psychological evaluation.” Mother testified that she does not consistently take her medication and that she does not need assistance with parenting. Mother also testified that she participated in services because they were required by her case plan. Mother repeatedly had to switch county service providers because mother “found fault with every worker who was assigned to her case.” Mother also provided false information about parenting education she was allegedly receiving from First Care Pregnancy and One Stop. We conclude that the record fully supports the district court’s determination that mother “cannot effectively manage her mental health, and that she cannot safely and independently care” for daughter “for even a minimal period of time.”

Thus, the district court did not abuse its discretion by determining that mother “substantially, continuously, or repeatedly refused or neglected to comply with the duties imposed . . . by the parent and child relationship.” Minn. Stat. § 260C.301, subd. 1(b)(2). Because we conclude the district court did not abuse its discretion by determining that

mother neglected to comply with the duties of the parent-child relationship, we need not review the other statutory grounds for termination. *See S.E.P.*, 744 N.W.2d at 385.

III. The district court did not abuse its discretion by determining that termination was in daughter's best interests.

A district court “must consider the child’s best interests and explain why termination is in the best interests of the child.” *In re Welfare of Child of D.L.D.*, 771 N.W.2d 538, 545 (Minn. App. 2009); *see* Minn. Stat. § 260C.301, subd. 7 (2020) (requiring a district court to consider the child’s best interests). The district court must consider both the child’s interest and the parent’s interest in preserving the relationship and “any competing interests of the child.” *In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 92 (Minn. App. 2012); *see* Minn. R. Juv. Prot. P. 58.04(c)(2)(ii) (requiring a district court’s best-interests analysis to address these factors). Still, when a statutory basis for termination exists, “the best interests of the child must be the paramount consideration.” Minn. Stat § 260C.301, subd. 7.

The district court considered each of the best-interests factors before determining that termination was in daughter’s best interests. In considering daughter’s interest in preserving the parent-child relationship, the district court found that, generally, children have an interest in preserving their parental relationship “so long as that relationship meets their essential needs.” The district court noted that daughter, aged two, had spent roughly eight and one-half months in foster care. The district court found that mother’s frequent absences contributed to daughter’s hesitation in approaching mother during visits and that daughter relied on caregivers other than mother to meet her needs even when mother was present. The district court recognized that daughter enjoys sitting on mother’s lap and

having mother read to her. But the district court found that this was an interest in preserving a playmate relationship rather than a parent-child relationship.

In considering mother's interest in preserving the parent-child relationship, the district court credited mother's desire to have daughter returned to her care. The district court, however, questioned whether mother's actions matched her stated preference because mother "is not able to even articulate [daughter's] needs, much less meet those needs."

In considering the competing interests of daughter, the district court recognized the need for "a primary caregiver who provides [daughter] with consistency and stability, both as it relates to her physical needs and to her emotional needs." The district court found that mother has "consistently provided for only one of [daughter's] needs: shelter" and that mother "has not consistently provided for [daughter's] physical, mental, or emotional health and development." The record fully supports the district court's related findings—for example, that mother failed to consistently provide stability for daughter, as evidenced by the 65 nights daughter spent in respite care between December 2020 and May 2021. The district court also found that mother did not "appropriately provide for [daughter's] needs regarding hygiene." Relying on testimony that mother failed to recognize daughter's cues surrounding hunger, the district court noted that mother sent dirty bottles to respite care and found that daughter's dietary needs were likely not being met, which led daughter to rummage for food in the trash can at daycare. The district court also discussed daughter's need for therapy and found that mother "does not believe it is necessary (despite her testimony at trial, which was not credible because it was inconsistent with prior

statements).” The district court determined that mother “consistently puts her own needs ahead of the needs” of daughter.

Based on these findings, the district court determined that termination is in daughter’s best interests. Because the district court identified the best interests of both mother and daughter, weighed those interests, and concluded that termination was in daughter’s best interests, the district court did not abuse its discretion.

Affirmed.