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**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-0465**

In the Matter of the Welfare of the Children of:
L. A. B. and A. D. C. V., Jr., Parents.

**Filed August 19, 2024
Affirmed
Bratvold, Judge**

Steele County District Court
File No. 74-JV-23-1861

Benjamin M. Cass, Smith Tollefson, Rahrick & Cass, Owatonna, Minnesota (for appellant A.D.C.V., Jr.)

Dan McIntosh, Steele County Attorney, Connor B. Burton, Assistant County Attorney, Owatonna, Minnesota (for respondent Minnesota Prairie County Alliance)

Julie A. Nelson, Owatonna, Minnesota (guardian ad litem)

Considered and decided by Johnson, Presiding Judge; Segal, Chief Judge; and Bratvold, Judge.

NONPRECEDENTIAL OPINION

BRATVOLD, Judge

In this appeal from an order terminating his parental rights, appellant argues that the district court abused its discretion by (1) admitting certain evidence, (2) determining that there was a statutory basis to terminate his parental rights, (3) determining that the county made reasonable efforts to reunify the family, and (4) determining that termination was in

the children's best interests. Because the district court did not abuse its discretion on any of the grounds appellant raises, we affirm.

FACTS

The following summarizes the district court's factual findings after a bench trial, along with relevant procedural history and evidence that relates to the issues on appeal.

Appellant A.D.C.V. Jr. (father) and L.A.B. (mother) are the parents of twin girls born in 2022 (the children). About one month after the children were born, on May 23, 2022, a resident in father and mother's apartment building reported that they "heard some fighting in the apartment" and "a mention of a gun." Law enforcement responded to this report. When law enforcement arrived, father "was alone with the children" and "was not comfortable feeding the children or changing their diapers." "Law enforcement found the children lying in stained bedding and soaked diapers."

A child-protection worker for respondent Minnesota Prairie County Alliance (the county) went to the apartment on May 24, 2022. No one was at the apartment, so the child-protection worker contacted both parents by phone. When the child-protection worker spoke to father, she "had trouble holding a conversation" with him because father's "thoughts and speech were disorganized." The district court credited the child-protection worker's testimony that father "paranoidly claimed" that mother was a "murderer and pedophile and the KKK was involved." Father would not disclose the children's location. The district court found that the child-protection worker "reasonably believed" that father was having a "mental health crisis." The county later learned that father had left the children with his adoptive mother.

The county filed a children-in-need-of-protection-or-services (CHIPS) petition, and the district court adjudicated the children CHIPS in 2022. The children were placed in foster care. Mother and father met with a county social worker in June 2022, and the social worker made case plans for both parents.

Father's case plan required that he (1) "file a petition to establish paternity," (2) obtain a comprehensive assessment of his mental health, (3) participate in couples counseling, (4) remain sober from "mood altering substances[,] take medications as prescribed" and "be subject to chemical testing," (5) complete a domestic-violence inventory with the county "as a collateral contact" and follow recommendations, (6) "[o]btain safe and stable housing," (7) "[d]emonstrate safe parenting skills," including "protecting the children from caregivers exhibiting untreated mental health symptoms," (8) "[f]ollow all medical recommendations for the children," and (9) "[d]emonstrate knowledge of child development" and cooperate with parenting-support and -education services.

The district court found that "the children were returned to mother on a trial home visit on December 30, 2022, that did not go well." The children were removed from the home in February 2023. The children were placed with mother for another trial home visit on June 2, 2023, but it was revoked on August 16, 2023, "after a domestic altercation in the home." The district court found that father and mother had a "raucous argument in front of the children that escalated to physical violence." Father "was holding one of the children during the physical altercation." Father testified that he was "terrified" and agreed that the

children were “likely just as scared.” These trial home visits involved mother, but father was living with her then and participated in both trial home visits.

Following the revocation of the second trial home visit, the children returned to foster care. The social worker went to the family’s home to retrieve some of mother’s and the children’s belongings. The social worker found a “dirty” apartment that was “not safe for children” and saw “items piled up” as though “someone was trying to barricade themselves.” The social worker’s concern about father’s mental health increased.

The social worker met with father regularly from the onset of the case plan until August 16, 2023. On August 24, 2023, father refused a urine test, and he continued to refuse testing for two weeks. The social worker contacted father’s therapist, who stated that father may have “underreported some of his [mental-health] symptoms.”

Father did not have visitation with the children after August 2023. The social worker attempted to arrange visits after the children were removed in August but was unable to “have a productive conversation” with father to set up visits.

The district court found that the social worker credibly described an incident in September 2023 when father came to the county’s office, yelled at office staff, and “demanded to know where his children were.” The social worker and her supervisor brought father to a room to speak with him. Father “rambled” and claimed that the county “stole his belongings” and “was prostituting his daughters.” The supervisor asked father to leave. After he refused to do so, the supervisor contacted law enforcement, who removed father from the office.

Father was taken into custody on October 20, 2023, without an anticipated release date.¹ The social worker sought to contact father at the jail by video conference three times. The first two times, the social worker could not speak with father because father was with a nurse or “was placed in a hold.” The third time, during December 2023, a correctional officer brought a device with video capability to father in his cell. When father appeared on camera and saw the social worker, he did not speak to her, but “put up both of his middle fingers . . . and [shook] his head.” The video conference ended.

The district court held a trial on the termination petition in February 2024. Mother voluntarily terminated her parental rights before evidence was received. Testimony was received from father, the child-protection worker, the social worker, and the guardian ad litem.

Father testified that he received some counseling services while in custody but had not spoken to a counselor in the past few weeks because of availability. He also testified that he was taking medication for anxiety. The district court found that father “testified persuasively” about his own experiences as “a child in the juvenile protection system” and in foster care and of his “abuse as a child.” Father testified that he “loves his children and he wants to be a good father” and that he “desires that his children have a healthier childhood than what he experienced.” Father also testified about the conditions leading to out-of-home placement and his contacts with the county and services, as detailed below.

¹ The record contains little information on the reason for father’s detention, which was ongoing at the time of the termination trial. The district court also noted that father was charged with committing an assault while in custody. This finding is discussed below.

On March 5, 2024, the district court filed an order terminating father’s parental rights. The district court determined that clear and convincing evidence established four statutory grounds for termination. First, the district court determined that father “substantially, continuously, or repeatedly refused or neglected the duties imposed upon [a] parent” under Minn. Stat. § 260C.301, subd. 1(b)(2) (2022). The district court determined that father “has no present ability to care for the children,” given that “[h]e has shown no sustained growth in his skills and abilit[ies], and it can be fairly argued that his mental and emotional status has produced his current incarceration.” The district court found that father “is not by his actions willing to work with” the county and that, as a result, his “deficits are likely to continue.”

Second, the district court determined that father is “palpably unfit” to parent under Minn. Stat. § 260C.301, subd. 1(b)(4) (2022). Specifically, the district court determined that, despite having over a year to engage in programming, father has shown “no sustained growth” and is “in an even worse position to parent than he was at the beginning of the case. He is incarcerated with an unknown release date.”

Third, the district court determined that father failed to correct the conditions leading to the children’s out-of-home placement under Minn. Stat. § 260C.301, subd. 1(b)(5) (2022). The district court found that, given father’s “recalcitrance, there is nothing more [the county] can do.”

Fourth, the district court determined that the children were “[n]eglected and in foster care” under Minn. Stat. § 260C.301, subd. 1(b)(8) (2022). The district court found that the children were in foster care and that father failed to engage in rehabilitative services, had

no contact with the children, and did not provide the children any financial support. The district court concluded that father's "own choices and behaviors have rendered him unavailable to the children." The district court also determined that the county made reasonable efforts to reunify father with the children and that terminating father's parental rights was in the children's best interests.

Father appeals.

DECISION

"Parental rights are terminated only for grave and weighty reasons." *In re Welfare of M.D.O.*, 462 N.W.2d 370, 375 (Minn. 1990). When reviewing a district court's termination of parental rights, appellate courts "review the underlying findings of fact for clear error" and "review the district court's determinations of whether a statutory ground for termination exists and whether termination is in the child's best interests for an abuse of discretion." *In re Welfare of Child of J.H.*, 968 N.W.2d 593, 600 (Minn. App. 2021), *rev. denied* (Minn. Dec. 6, 2021). A finding is clearly erroneous if, "in view of all the evidence," an appellate court is "left with a definite and firm conviction that a mistake has been committed." *Id.* at 601 n.6 (quotation omitted). When applying the clear-error standard, appellate courts "may not reweigh evidence, engage in fact-finding, or reconcile conflicting evidence." *Id.*

District courts may terminate parental rights after making the following three determinations: "(1) at least one statutory ground for termination is supported by clear and convincing evidence, (2) the county made reasonable efforts to reunite the family or the district court has ruled that those efforts were not necessary, and (3) termination is in the

child's best interests." *Id.* at 600. The county has "the burden of producing clear and convincing evidence" of a ground for termination. *In re Welfare of C.K.*, 426 N.W.2d 842, 847 (Minn. 1988). There is a "presumption that [the] natural parent is a fit and suitable person to be entrusted with the care of his child and that it is ordinarily in the best interest of a child to be in the custody of his natural parent." *In re Welfare of M.H.*, 595 N.W.2d 223, 227 (Minn. App. 1999) (quotation omitted).

Father challenges the admission of evidence during the termination trial as well as each of the three required determinations on appeal. We address father's challenges in turn.

I. Any evidentiary error was harmless.

We review a district court's evidentiary determinations for an abuse of discretion. *In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 93 (Minn. App. 2012). To prevail based on evidentiary error, an appellant must show that the ruling prejudiced him by substantially affecting his rights. Minn. R. Evid. 103(a); *In re Welfare of D.D.R.*, 713 N.W.2d 891, 904 (Minn. App. 2006) ("On appeal, the appellant has the burden of establishing that the trial court abused its discretion and that appellant was thereby prejudiced." (quotation omitted)). In other words, the mere existence of error does not support relief on appeal; the appellant must also show that they were prejudiced by the error. *Id.*

Father raises two evidentiary issues on appeal.

A. Exhibit 1

Father argues that the district court improperly admitted exhibit 1 into evidence during the social worker's testimony and over father's hearsay objection. Exhibit 1 is a copy of the county's case notes, to which the parties refer as "the county's chronology

records.” During trial, father acknowledged that exhibit 1 was admissible as a business record but urged that the social worker’s testimony did not provide the necessary foundation and that exhibit 1 included inadmissible hearsay. The district court characterized this as a “two-part objection,” one part being the lack of “foundation in terms of this witness’ understanding of how information gets into that system, and then the other piece of it had to do with the statements of other people, other than this writer” that are included as part of the notes. The district court allowed the county to make additional inquiries of the social worker to establish foundation.

Based on the additional testimony, the district court admitted exhibit 1 under the hearsay exception for records of regularly conducted business activity, Minn. R. Evid. 803(6). But the district court also determined that “[w]ith regard to the concerns about hearsay contained therein, I’ve not heard any additional foundation.” The district court noted that it “is able to separate out what’s hearsay and what’s not, but if there’s additional foundation laid” for the hearsay statements, the district court “can take that up at the time.”

On appeal, father argues that the district court’s decision improperly relies on hearsay statements within exhibit 1 that are inadmissible hearsay. The county argues that exhibit 1 was properly admitted under the business-records exception, citing Minn. R. Evid. 803(6). The county, however, does not address father’s point that the district court relied on hearsay statements within exhibit 1.

In his brief to this court, father asserts that the district court’s decision referred to the following facts based on hearsay within exhibit 1: (1) father “did not cite the county as a collateral contact for any of the assessments or evaluations”; (2) father “has landed in

jail, and had been charged with a crime while in jail”; (3) “[o]n August 23, 2023, [father] came to the county and was yelling about people watching him, him needing to get away, and accusing the social worker of wanting to shoot him in the head”; (4) father “had a suicide attempt by overdose using anti-depressant medication in 2016”; and (5) father faces “additional felony charges” after an “assault on a detention officer.”

Father’s argument is misguided in two ways. First, exhibit 1 does not appear to include information related to items (2), (4), or (5) on his list. Second, while exhibit 1 includes information about items (1) and (3), the admission of these portions of exhibit 1 was harmless error at most. Either the information was established by other admissible evidence,² or the record included admissible evidence that independently supported the termination.³ In short, father establishes no reversible error in the district court’s admission of hearsay statements within exhibit 1.

² The district court refers to father’s failure to list the county as a collateral contact in its decision. This finding is supported by other evidence in the record. The social worker testified that the county was not listed as a collateral source on certain assessments.

³ We note that an August 23, 2023, incident at the county’s office is described in the district court’s findings of fact and in exhibit 1 but is not otherwise established by testimony. This opinion omits any discussion of an August 23 incident, and the district court did not cite the August 23 incident in its analysis of the statutory grounds for termination.

Even if we assume that the August 23 incident was inadmissible hearsay and therefore was erroneously admitted as part of exhibit 1, the record includes ample admissible evidence supporting the district court’s termination decision. *See In re Child of Simon*, 662 N.W.2d 155, 162 (Minn. App. 2003) (determining that consideration of inadmissible hearsay was harmless error when “the record contain[ed] evidence” other than the hearsay evidence “that is independently sufficient to support the district court’s decision to terminate . . . parental rights”). Accordingly, any error in admitting evidence about the August 23 incident is harmless.

B. Father's Additional Criminal Charges

Father argues that the district court improperly admitted father's "acknowledgment that he picked up additional charges while being held in custody." At trial, the county asked father if he had "picked up any new charges while in custody." Father's attorney objected, stating that the question was "beyond the scope of direct." The district court overruled the objection, and father answered in the affirmative.

Father contends that the district court abused its discretion based on the rules of evidence. Under Minn. R. Evid. 611(b), "[c]ross-examination should be limited to the subject matter of the direct examination affecting the credibility of the witness. The court may, in exercise of discretion, permit inquiry into additional matters as if on direct examination."

Although father's additional charges while in custody were not raised during his direct examination, we conclude that the district court did not abuse its discretion by overruling the objection. Additional inquiry on relevant matters is allowed, and this particular inquiry was limited. *See* Minn. R. Evid. 611(b). The district court reasoned in its order that the additional charges were relevant to whether father made progress on the case-plan provisions that addressed the children's exposure to domestic violence. Although the district court primarily relied on other instances of domestic abuse during which the children were present, it noted that father "has been charged with committing an assault even while incarcerated. Whatever the cause of his volatility, this safety concern has not been resolved." We discern no abuse of discretion in the district court's decision to admit father's acknowledgment of the additional criminal charges.

II. The district court did not abuse its discretion by determining there was a statutory ground for terminating father’s parental rights.

The statutory grounds for terminating parental rights are identified in Minn. Stat. § 260C.301, subd. 1 (2022). Here, the district court determined that the county proved four statutory grounds to terminate father’s parental rights under Minn. Stat. § 260C.301, subd. 1(b)(2), (4), (5), and (8). We need not affirm more than one statutory ground on appeal to affirm the district court’s order terminating parental rights. *J.H.*, 968 N.W.2d at 600. As mentioned above, our review is for abuse of discretion. *Id.*

We examine the district court’s determination that the county proved by clear and convincing evidence that its reasonable efforts have not prompted father to correct the conditions leading to placement of the children out of the home. Subdivision 1(b)(5) provides that termination can be warranted when the district court finds “that following the child’s placement out of the home, reasonable efforts, under the direction of the court, have failed to correct the conditions leading to the child’s placement.” Minn. Stat. § 260C.301, subd. 1(b)(5).

“It is presumed that reasonable efforts . . . have failed upon a showing that” (1) the children are under age eight and have “resided out of the parental home under court order for six months,” (2) “the court has approved the out-of-home placement plan,” (3) the “conditions leading to the out-of-home placement have not been corrected,” and (4) “reasonable efforts have been made by the social services agency to rehabilitate the parent and reunite the family.” *Id.* There is an exception if the parent has been in regular contact with the children and is complying with the out-of-home placement plan. *Id.*,

subd. 1(b)(5)(i). Based on this statutory authority, the district court presumed that the county provided reasonable efforts after the district court determined that “the children have been out of home under a court order for 619 days,” which is over six months; the conditions leading to the placement had not been corrected; father had not been in contact with the children for over six months; and father was no longer working on the case plan.

The conditions leading to the removal of the children from the home included father’s mental health, father’s alcohol use, domestic violence in the home, and father’s parenting skills. These concerns arose when the children were initially removed from the home in May 2022 and recurred when the second trial home visit terminated in August 2023. Father received services from the county until August 2023, after which he refused to meet with the social worker, including during his detention and leading up to trial. We first note that a parent’s carceral status alone is not a basis to terminate parental rights. *See In re Welfare of Child. of A.I.*, 779 N.W.2d 886, 892, 894 (Minn. App. 2010) (“Incarceration alone does not necessarily preclude a person from acting in a parental role.”). We also note, however, that father did not participate in programming for the period just before or during his detention.⁴

⁴ Father did not provide evidence that he had a plan to care for the children up to and after his unknown release date. The district court found that father’s testimony about relying on family members “to help with the children while he remains in custody” was “wishful thinking on his part.” The district court also rejected father’s claim to have saved \$3,000 for a security deposit and one month’s rent upon his release, reasoning that father had applied for financial assistance and, before his detention, claimed to be unable to pay for gas or a telephone.

The district court found that father made “some progress” on his case plan but that his shortcomings affected his ability to correct the conditions that led to the children’s placement out of the home, which “have not been alleviated.” First, father did not take necessary steps to manage his mental health, which the district court found caused the county to twice remove the children from the home. The district court also found that father’s “volatile mental health impairs his ability to parent.” While father’s mental health alone does not warrant a termination of parental rights, *In re Welfare of S.Z.*, 547 N.W.2d 886, 892 (Minn. 1996), father’s failure to address his mental-health concerns affected his ability to care for the children and prevented him from correcting the conditions that led to their removal.

The record shows that father did not consistently participate in mental-health therapy, having terminated therapy in June 2023. The district court also found that father’s therapy focused on his ADHD diagnosis, which was “not related to the child protection concerns.” The district court found that father’s limited participation in services did not improve father’s “ability to be a healthy, safe, stable parent.” The district court determined that father showed a lack of insight about his mental-health issues. Notably, father seemed to believe he “only needed to continue working with [his therapist] if [father] believed he needed further assistance.” Also, father’s therapist reported that father was not recounting his mental health accurately. And father refused to take medication as recommended until he was in custody. Father provided no documentation of his diagnoses or medication during his detention.

Second, the district court found that “[a]lcohol was a concern at the time of the children’s first removal from the home.” This condition did not change. Father failed to maintain his sobriety as required by the case plan and missed several urinalysis tests.

Third, father began a domestic-violence assessment but did not complete it accurately or follow the recommendations. The district court also found that father “was fixated at trial on him being the victim of domestic abuse by mother.” This is problematic because, as the district court noted, “the concern throughout the case has been that the children have been exposed to domestic abuse between the parents.” For example, the second trial home visit was ended because of an altercation between the parents with the children present. The district court concluded that father “would benefit from educational programming concerning domestic abuse or anger management or both; the fact remains he has not done any of these.”

Fourth, father failed to demonstrate parenting skills or increase his knowledge of child development. While father did engage in some parent education, he terminated those services in July 2023, and the district court found that father has not displayed growth in his knowledge of child development or parenting skills. Even before his incarceration, father stopped cooperating with the county and did not ask about the children. As mentioned, when the social worker sought to contact father while he was in jail to work on his case plan, he refused to speak with the social worker.

In summary, after analyzing the four conditions that led to out-of-home placement, the district court concluded that father has shown “no sustained improvement” and that, “[e]ssentially, we are back to ‘square one.’”

Father argues that the district court erred in determining that conditions were not corrected, because his case plan had expired. The county argues that the case plan was not updated because of father's refusal to engage with the social worker. The district court credited the county's testimony on this point and specially noted that father refused to meet while he was in jail by "flipping off" the social worker. The district court also rejected father's argument at trial that he *will* work with the county, reasoning that father did not provide any documentation of the treatment he claimed to be receiving in jail and that father asserted that no programming was available in jail, while the county offered evidence to the contrary. The record supports the district court's finding that father "made it clear for the past six months that he will not work with [the county] or complete the requirements of the case plan."

For the reasons stated, we conclude that the district court did not abuse its discretion by determining that father failed to correct the conditions that led to the children's out-of-home placement under Minn. Stat. § 260C.301, subd. 1(b)(5). Only one statutory requirement must be met to justify termination of parental rights. Accordingly, we need not determine whether the district court abused its discretion by determining that termination was warranted under the other three statutory grounds it cited. *See* Minn. Stat. §260C.301, subd. 1(b)(2), (4), (8).

III. The district court did not abuse its discretion by determining that the county made reasonable efforts to reunify father with the children.

Appellate courts review for an abuse of discretion the district court's determination whether the county's efforts to reunify a family were reasonable. *See In re Welfare of Child*

of *D.L.D.*, 865 N.W.2d 315, 322-23 (Minn. App. 2015) (determining that the district court’s “reasonable-efforts finding was not an abuse of discretion”), *rev. denied* (Minn. July 21, 2015). Appellate courts also review the district court’s factual findings about the county’s efforts to reunify father and the children for clear error. *In re Welfare of Child. of J.C.L.*, 958 N.W.2d 653, 658 (Minn. App. 2021), *rev. denied* (Minn. May 12, 2021). A finding is clearly erroneous if, “in view of all the evidence, we are left with a definite and firm conviction that a mistake has been committed.” *J.H.*, 968 N.W.2d at 601 n.6 (quotation omitted).

District courts must make “specific findings” either that “reasonable efforts to finalize the permanency plan to reunify the child and the parent were made including individualized and explicit findings regarding the nature and extent of efforts made by the social services agency to rehabilitate the parent and reunite the family” or that “reasonable efforts for reunification [were] not required.” Minn. Stat. § 260C.301, subd. 8 (2022).⁵

The district court determined that, regarding reunifying father with the children, the county “has made reasonable efforts to no avail” and that “there is nothing more [the county] can do.” Record evidence shows that the county made reasonable efforts to reunify father with the children. The county offered father “ongoing case management services” that included “meeting monthly to work towards reunification” and “could include referrals

⁵ “When determining whether reasonable efforts have been made by [the county], the court shall consider whether services to the child and family were: (1) selected in collaboration with the child’s family”; (2) individualized to the “needs of the child and the child’s family”; (3) relevant to the safety, protection, and well-being of the child”; (4) adequate to meet the family’s needs; (5) “culturally appropriate; (6) available and accessible; (7) consistent and timely; and (8) realistic under the circumstances.” Minn. Stat. § 260.012(h) (2022).

to different service providers” and “assistance in filling out state applications such as medical assistance, cash assistance, [and] supervised visits.”

Father does not identify any services that were not provided to him, and the record shows that he participated in individual therapy, alcohol- and chemical-use testing, domestic-violence testing, and parental education. Father also stopped receiving services in August 2023 and then ended all contact with the county after he was taken into custody. Father refused to speak with the social worker, and the county’s release form went unsigned. Accordingly, the district court did not abuse its discretion by determining that the county made reasonable efforts to reunify father and the children.

IV. The district court did not abuse its discretion by determining that terminating father’s parental rights is in the children’s best interests.

“The ‘best interests of the child’ means all relevant factors to be considered and evaluated.” Minn. Stat. § 260C.511(a) (2022). Before terminating parental rights, a district court must consider “(1) the child’s interest in preserving the parent-child relationship; (2) the parent’s interest in preserving the parent-child relationship; and (3) any competing interest of the child.” *In re Welfare of Child of W.L.P.*, 678 N.W.2d 703, 711 (Minn. App. 2004) (quotation omitted); see Minn. R. Juv. Prot. P. 58.04(c)(2)(ii) (stating that, when addressing a child’s best interests in a termination-of-parental-rights proceeding, the district court “shall” address these factors). The district court need not “go into great detail” in its best-interests analysis. *W.L.P.*, 678 N.W.2d at 711. Appellate courts review a district court’s determination of “whether termination is in the child’s best interests for an abuse of discretion.” *J.H.*, 968 N.W.2d at 600.

Father argues that “the district court’s conclusion” that termination is in the children’s best interests “is conclusory,” and he claims that the district court ignores testimony that “the children love [father], and he loves them.” Father contends that the record evidence showed that he has “a vested interest in maintaining the parent-child relationship with the children” and that the children “have a strong interest in maintaining that relationship with him.”

We disagree with father’s contention that the district court did not consider the evidence father mentions. The district court noted the guardian ad litem’s testimony that father “loves the children, and he sincerely wants to give them things he never had” and also commented on father’s testimony that he “loves his children, and he wants to be a good father.” These comments suggest that the district court understood that father loves the children and cares about his relationship with them.

But the district court credited the guardian ad litem’s testimony that father’s lack of progress has taken a “toll” on the children and that it was in the children’s best interests to terminate father’s parental rights. And the district court considered the competing interests of the children. The district court determined that the children “bonded with their foster providers” and are “safe, stable, and thriving in that placement.”

The district court made extensive findings about the children’s vulnerable age and needs, and father’s ability to parent them. The children were four weeks old when they were first removed from the home and less than two years old at the time of the termination trial. The district court concluded that father “is still not a safe parent with whom the children could be placed.” The district court noted that father lacked “insight into how

dysfunctional his behavior was, or . . . could not control his behaviors.” The district court found that father’s testimony about the incident leading to removal of the children in May 2022, in which he claimed that he was not in crisis, was “self-serving and uncorroborated.” Also, while father at first denied being in crisis, he later testified that “any time there is a domestic dispute that qualifies as a crisis.” Similarly, the district court rejected father’s testimony that he was “thinking clearly” during the September 2023 incident when he visited the county’s offices, was disruptive and uncooperative, and was later removed by law enforcement.

While father claimed at trial that he is willing to cooperate with the county, the district court found that “his actions belie that.” Significantly, the district court found that father “has had no contact with the children since August 2023, has not inquired of their well-being, and has not provided for their care.” The district court found that father’s “own choices and behaviors have rendered him unavailable to the children.”

Based on these findings, we conclude that the district court did not abuse its discretion by determining that terminating father’s parental rights was in the children’s best interests.

Thus, the district court did not abuse its discretion by admitting the challenged evidence or by determining that at least one statutory basis for termination was supported by clear and convincing evidence, that the county made reasonable efforts to reunify father with the children, and that termination was in the children’s best interests.

Affirmed.