

*This opinion is nonprecedential except as provided by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
A24-1115**

In the Matter of the Welfare of the Child of: C. L. F. and D. W., Parents.

**Filed December 30, 2024
Affirmed
Ede, Judge**

St. Louis County District Court
File No. 69DU-JV-23-247

Benjamin Kaasa, Benjamin Kaasa Law Office, PLLC, Duluth, Minnesota (for appellant mother)

Kimberly Maki, St. Louis County Attorney, Benjamin Ranallo, Assistant County Attorney, Duluth, Minnesota (for respondent St. Louis County Public Health and Human Services)

Elisa Beyer, Duluth, Minnesota (guardian ad litem)

Considered and decided by Larkin, Presiding Judge; Connolly, Judge; and Ede, Judge.

NONPRECEDENTIAL OPINION

EDE, Judge

Appellant mother challenges a district court's order terminating her parental rights. Because the district court did not abuse its discretion in determining (1) that appellant is palpably unfit to be a party to the parent and child relationship, (2) that termination is in the child's best interests, and (3) that the county made reasonable efforts to reunite mother with the child, we affirm.

FACTS

In August 2023, respondent St. Louis County Public Health and Human Services (the county) petitioned to terminate the parental rights of appellant C.L.F. (mother) and D.W. (father)¹ to Z.M.W. (the child) per Minnesota Statutes section 260C.301, subdivisions 1(a), 1(b)(2), (4), (5), and (8) (2022).² The county's asserted statutory bases for termination of parental rights included an allegation under subdivision 1(b)(4) that mother was palpably unfit to be a party to the parent and child relationship. The matter proceeded to a court trial. The following factual summary is based on the findings of fact issued by the district court after trial, as well as portions of the record that are relevant to the parties' arguments on appeal.

Underlying Investigation

In July 2022, the county received a report that mother was being investigated for violating a harassment-restraining order. "It was unknown if jail time would be recommended as [mother] was eight months pregnant and would be responsible for the baby upon its birth. Feedback was requested as to [mother's] child protection status." The county determined that mother's parental rights to an older child were involuntarily

¹ Father does not participate in this appeal.

² Minnesota Statutes section 260C.301 was amended in 2024. *See* 2024 Minn. Laws ch. 80, art. 8, § 27; *see also* 2024 Minn. Laws ch. 115, art. 18, § 38. The 2022 version of the statute was in effect at the time of the district court's order terminating mother's parental rights. The 2024 amendments do not materially change the substance of the applicable section, but do amend some statutory language, delete an inapposite subdivision, and renumber relevant subdivisions of the statute.

terminated in February 2022 after she failed to appear at a scheduled termination of parental rights (TPR) trial.

Mother gave birth to the child on August 10. Social workers met with mother at the hospital shortly after the child was born. Mother reported that she had previously used methamphetamines but was sober for the past five to six months. She was not in any treatment program at that time. A shelter was providing mother with a hotel room and assisting her with housing. Mother identified father as the child's other biological parent. After conferring with hospital staff, social workers learned that mother did not have a stable residence. Social workers also discovered that, in July, mother had become "violent" by "shoving medical staff" after she believed that she was going into labor and medical staff refused to admit her to the birthing unit.

On August 12, social workers spoke with mother's McLeod County probation officer, who "expressed grave concerns about [mother's] ability to safely care for a child and stated [that mother's] older daughter was profoundly impacted by the time she was in [mother's] care," such that the older daughter had become "selectively mute as a direct result of her trauma history." Social workers learned that mother was on probation for five charges, including drug possession, violation of a restraining order, and physical assault, and that she had breached her probation conditions by not meeting with an assigned officer to complete a presentence investigation. Reportedly, during a jury trial on mother's harassment-restraining-order violation, mother became belligerent and began to swear at the jurors. Social workers also discovered that, before mother's previous involuntary TPR, mother "did not work a reunification plan, continued to use methamphetamine, and became

homeless.” In addition, social workers were informed that mother was “cognitively low functioning and mentally ill” but had not been given a formal mental-health diagnosis because she never followed through with the services offered to her as part of her reunification plan. A “police hold” was placed on the child, and the child was discharged from the hospital to a non-relative foster home.

Pretrial Proceedings

The county filed a TPR petition. The district court held an emergency protective care hearing on August 16. Mother appeared with counsel. The district court granted the county temporary custody of the child for out-of-home placement and ordered regular visitation for the parents.

In September, the district court received a report from a social worker that mother was living in a supportive housing program for homeless mothers. She “had completed all requested [urinalysis tests (UAs)] over the last review period except for two when she tested positive for COVID[;] [f]our of the 12 UAs tested positive for alcohol.” Mother’s supervised visits with the child “went well, but concerns were noted that [mother] became highly escalated when she heard information she did not agree with.” She walked out of one of the child’s medical appointments when the doctor disagreed with her that the child needed a different formula for feeding. Mother also refused to relinquish the child at the end of a supervised visit.

She appeared at a continued emergency-protective-care hearing in early October. The district court “authorized a trial home visit at the discretion of Social Services in consultation with the Guardian ad Litem and continued its prior orders.” Mother completed

a comprehensive assessment that recommended she abstain from mood-altering substances and build a sober support network. The county referred mother to a recovery organization and a peer support program. Although mother missed several UAs during the review period preceding the October hearing, she did provide four urine samples that tested negative.

The district court received a report in November that mother was serving a sentence in the McLeod County jail for most of that month. At a mid-November admit-deny hearing, mother appeared with counsel and denied the allegations in the TPR petition.

According to a December report, the child had “limited hearing in [the] left ear and it was medically recommended [for the child to] be evaluated for a hearing aid.” Mother did not agree and instead believed that “this was something the child would grow out of.” She declined to participate in “Help Me Grow,” a program that supports Minnesota families by helping children meet certain milestones. The Help Me Grow provider was a hearing specialist who was available to offer suggestions and insight into the child’s condition through monthly in-home services and observation of the child’s development. Despite declining that service, mother did participate in a diagnostic assessment revealing that she “failed to comprehend questions being asked of her[,] even when asked multiple different ways.” The assessment recommended a full psychological evaluation.

The district court held a mid-December pretrial hearing, at which mother appeared. The county amended the petition to seek an adjudication that the child was in need of protection or services (CHIPS) rather than a TPR, and mother entered an admission. The district court adjudicated the child as CHIPS and ordered that mother comply with the following reunification plan:

a) Complete a Comprehensive Assessment and follow all recommendations; b) Complete a diagnostic assessment to identify any mental health concerns that may interfere with her ability to parent; c) Attend visits with the child and stay in contact with the social worker, supervising agency, and foster parent. Follow all rules to confirm visits with the child to assure she is present; d) Establish Safe housing that is free of criminal activity, drugs, and individuals who present as dangers to her and her child; e) Sign all releases of information as requested; f) Participate in and successfully complete a parenting program and demonstrate and implement the information she has learned in parenting her child; g) Participate in the child's medical appointments when possible; and h) Submit to random drug screenings to demonstrate sobriety. Any missed drug screening shall be considered a positive result.

The district court received a report in March 2023 that the child “had been fitted for and was now wearing a hearing aid.” Because testing revealed that the child had a genetic condition, medical providers scheduled evaluations of the child's kidneys and heart for abnormalities; the child would require such medical monitoring throughout her life. A meeting took place with mother, her therapist, her housing manager, and the guardian ad litem to discuss the child's diagnosis and to explain the child's lifelong medical needs. Mother “expressed her belief that the foster parent was scheduling unnecessary medical appointments for the child, whom she believed to be fine.” Although she reportedly “became escalated” at the meeting, mother appeared to understand the child's needs. But she had “missed all seven scheduled UAs over the [preceding] review period.”

After several other hearings, the county notified the district court that it intended to file a permanency petition “due to expiring timelines and the [parents'] inability to make substantial progress on their case plans.” In August 2023, the county again petitioned for termination of mother's and father's parental rights, asserting that it had made reasonable

efforts to keep the family together, but despite these efforts, mother and father had “made no demonstrable progress toward reunification.” In April 2024, before the start of the TPR trial, father filed a signed affidavit of consent to termination of his parental rights. In an order filed in early June, the district court terminated father’s parental rights based on his voluntary consent.

TPR Trial

The district court held a four-day trial on the petition to terminate mother’s parental rights. In addition to several exhibits, the district court received testimony from the guardian ad litem and the following witnesses for the county: the co-manager at Lincoln Park Children and Families Collaborative (LPCFC), an organization that assisted with mother’s supervised visits; a visitation supervisor at LPCFC; a licensed psychologist; one of the child’s foster parents; and the social workers assigned to mother’s case. The defense presented the following witnesses: mother; staff members from the supportive housing facility where mother lived after the child’s birth; a licensed parent educator and early childhood teacher who worked alongside mother and the supportive housing staff; and the child’s maternal grandmother.

Following the trial, the district court filed findings of fact, conclusions of law, and an order terminating mother’s parental rights. The district court determined that mother was “palpably unfit to be a party to a future parent and child relationship” and that the evidence was clear and convincing that termination of mother’s parental rights was in the child’s best interests. The district court found that the county had made reasonable efforts to reunify the family and that those efforts proved unsuccessful. Thus, the district court

awarded guardianship of the child to the commissioner of human services for pre-adoptive placement.

Mother appeals.

DECISION

Mother contends that the district court abused its discretion by determining (1) that the county proved at least one statutory ground for termination of her parental rights, (2) that termination is in the child’s best interests, and (3) that the county made reasonable efforts toward reunification.

“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). “[T]ermination of parental rights is always discretionary with the [district] court.” *In re Welfare of Child of R.D.L.*, 853 N.W.2d 127, 136 (Minn. 2014). “[W]e review the underlying findings of fact for clear error” and “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); *see also In re Welfare of Children of S.E.P.*, 744 N.W.2d 381, 385 (Minn. 2008) (explaining that appellate courts “review the termination of parental rights to determine whether the district court’s findings address the statutory criteria and whether the district court’s findings are supported by substantial evidence and are not clearly erroneous”). “A finding is clearly erroneous if it is either manifestly contrary to the weight of the evidence or not reasonably supported by the evidence as a whole.” *In re Welfare of Children of T.R.*, 750 N.W.2d 656, 660–61 (Minn. 2008) (quotation omitted). “A district court abuses its

discretion if it makes findings of fact that lack evidentiary support, misapplies the law, or resolves discretionary matters in a manner contrary to logic and the facts on record.” *In re Welfare of Child of T.M.A.*, 11 N.W.3d 346, 355 (Minn. App. 2024) (citing *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022)) (other citation omitted) (applying these principles in a transfer-of-legal-custody context).

Considerable deference is given to the district court’s decision. *S.E.P.*, 744 N.W.2d at 385. We affirm a TPR decision when at least one statutory basis for termination is supported by clear and convincing evidence, termination is in the child’s best interests, and there have been reasonable efforts to reunify the parent and child. *See id.* “In reviewing termination of parental rights, we determine whether the record contains substantial evidence to support the district court’s decision, given that the burden of proof in the district court is clear and convincing evidence.” *In re Welfare of D.T.J.*, 554 N.W.2d 104, 108 (Minn. App. 1996) (quotation omitted); *see also* Minn. R. Juv. Prot. P. 58.03, subd. 2(a) (“[I]n a termination of parental rights matter involving a non-Indian child, the standard of proof is clear and convincing evidence.”).

Below, we address each of mother’s contentions in turn.

I. The district court did not abuse its discretion in determining that mother is palpably unfit to be a party to the parent and child relationship.

Mother “contends that she demonstrated the requisite change needed to reflect that she is not palpably unfit to care for [the child].”³ This argument does not persuade us that the district court’s palpable-unfitness determination was an abuse of discretion.

Under Minnesota Statutes section 260C.301, subdivision 1(b)(4),⁴ there is a statutory basis for TPR when the district court finds that:

a parent is palpably unfit to be a party to the parent and child relationship because of a consistent pattern of specific conduct before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental, or emotional needs of the child.

³ Without citation to supporting legal authority, mother also asserts that we should reverse the district court’s TPR order without remand because the court ruled that she had rebutted the presumption of palpable unfitness and “should have resisted the opportunity to continue its analysis” by deciding that “the county did not meet its burden on this statutory ground.” Mother has forfeited this contention because “[a]n 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.” *J.H.*, 968 N.W.2d at 602 n.7 (quoting *Schoepke v. Alexander Smith & Sons Carpet Co.*, 187 N.W.2d 133, 135 (1971)) (other citation omitted). And our mere inspection of the record reveals no prejudicial error on this point, particularly because binding precedent holds that “the district court shall find the existence or nonexistence of the alleged palpable unfitness upon all the evidence exactly as if there never had been a presumption at all” when “the statutory presumption has been rebutted.” *In re Welfare of Child of J.A.K.*, 907 N.W.2d 241, 246 (Minn. App. 2018) (emphasis added) (quotation omitted). We therefore review the merits of the district court’s palpable-unfitness determination for an abuse of discretion, without consideration of the presumption.

⁴ As noted above, this subdivision was amended in 2024, renumbering some of the statutory bases for TPR. *See* 2024 Minn. Laws ch. 115, art. 18, § 38 at 1742—43. The statutory language governing TPR based on a determination of palpable unfitness is now found under Minnesota Statutes section 260C.301, subdivision 1(b)(3) (2024). *See id.*

“Termination on the ground of palpable unfitness requires a petitioner to prove ‘specific conditions existing at the time of the hearing that appear will continue for a prolonged, indefinite period and that are permanently detrimental to the welfare of the child.’” *In re Welfare of J.W.*, 807 N.W.2d 441, 446 (Minn. App. 2011) (quoting *T.R.*, 750 N.W.2d at 661), *rev. denied* (Minn. Jan. 6, 2012). The district court “should rely not primarily on past history, but to a great extent upon the projected permanency of the parent’s inability to care for his or her child.” *Id.* (quotation omitted).

The district court ultimately determined that, even without application of the rebuttable presumption of palpable unfitness, the county had proven by clear and convincing evidence that mother is palpably unfit to be a party to the parent and child relationship. And the district court ruled that mother would be unable to care for the child in the reasonably foreseeable future because mother “continues to have significant emotional dysregulation both in and outside the presence of the child.” We conclude that the district court’s palpable-unfitness determination is supported by substantial evidence and is not clearly erroneous.

As an example, the record reflects that mother struggled with outbursts at the supportive housing facility and had been warned about eviction if the behavior continued. And the state produced clear and convincing evidence that the specific conditions existing at the time of the trial—mother’s inability to regulate her emotions—would continue for a prolonged, indefinite period and were permanently detrimental to the welfare of the child. For instance, when mother was discharged from treatment in October 2023, a risk

assessment revealed that she “ha[d] a severe lack of impulse control and coping skills[,]” among other issues.

The substantial evidence supporting the district court’s palpable-unfitness determination also includes mother’s conduct at the trial and her interactions with social workers, the supportive housing staff, and the other providers who assisted with her reunification plan. The district court’s order details several instances of dysregulated behavior by mother, such as:

- In February 2024, mother became upset during a supervised visit because the child was not wearing a coat when she was transferred from the car to mother’s care. Mother began yelling and screaming and continued to do so once she was inside the residence. At some point, mother went into her bedroom with the child and shut the door. Shortly after, she came out of the bedroom, and then went into the bathroom with the child and shut the door.
- While living in supportive housing, mother was given notice that she had qualified for a subsidized housing unit and that she would need to transition from the supportive housing facility to her own apartment. Mother began yelling and screaming; she then left with the child.
- During a supervised visit at a library, mother “became angry and dysregulated” and the child was removed from the situation until mother could calm down.
- Shortly before trial, mother became enraged with LPCFC staff at a visitation center during a supervised visit, began knocking books from their shelves, and started

throwing items around. This resulted in law enforcement being called and the visitation center refusing to host further visits for mother.

- And on the last day of trial in May 2024, mother admitted that she left the supervised visitation center with the child during a scheduled visit one day earlier, an incident that required police involvement.

The above findings are supported by substantial evidence in the form of documentary exhibits and witness testimony. When she testified at trial, mother did not contradict this evidence. And on appeal, mother does not dispute the evidentiary basis for these findings. The record reveals that mother's inability to regulate her anger had not improved by the time of trial. In fact, mother had an outburst during the trial, which required the district court to take a recess. She also exited the witness stand in the middle of her testimony—without the district court's permission—after being denied a break. Mother did not return for the remainder of the trial. The district court made a record that it could hear mother yelling down the hallway when she left the courtroom and that “there may have been some additional behavior down on the first floor.” Taken together, there is substantial evidence in the record supporting the district court's determination that mother's significant emotional dysregulation will likely continue for a prolonged, indefinite period and is permanently detrimental to the welfare of the child. That substantial evidence supports the district court's decision that mother is a palpably unfit parent even without consideration of the rebuttable presumption.

We therefore conclude that the district court's determination that there is clear and convincing evidence that mother is palpably unfit to be a party to the parent-child

relationship was not an abuse of discretion. Because we conclude that the district court’s palpable-unfitness decision was not an abuse of discretion given its basis in factual findings that are not clearly erroneous and that are supported by substantial evidence, we need not review the district court’s rulings on the other statutory bases for termination of mother’s parental rights. *See In re Welfare of Children of K.S.F.*, 823 N.W.2d 656, 667 (Minn. App. 2012) (“Because one statutory ground for termination is supported by clear-and-convincing evidence, we do not review the district court’s conclusions regarding the other statutory grounds relied on by the district court.”).

II. The district court did not abuse its discretion in determining that termination of mother’s parental rights is in the child’s best interests.

Mother maintains that the district court “minimized [her] positive parenting skills when she was caring for her child.” From that premise, mother argues that the district court abused its discretion in ruling that termination of her parental rights is in the child’s best interests. We disagree.

“If a district court determines that a statutory ground for termination exists, it must also determine that termination is in the child’s best interest.” *In re Welfare of Child of R.V.M.*, 8 N.W.3d 680, 696 (Minn. App. 2024), *rev. denied* (July 19, 2024); *see also K.S.F.*, 823 N.W.2d at 668 (“Even if a statutory ground for termination exists, the district court must still find that termination of parental rights or of the parent-child relationship is in the best interests of the child.” (citing *In re Children of T.A.A.*, 702 N.W.2d 703, 708 (Minn. 2005))). Indeed, “in any proceeding to terminate parental rights, the best interests of the child must be the paramount consideration.” *In re P.T.*, 657 N.W.2d 577, 583 (Minn. App.

2003), *rev. denied* (Minn. Apr. 15, 2003); *see also* Minn. Stat. § 260C.301, subd. 7 (2022). As mentioned above, “[w]e review a district court’s conclusion that termination of parental rights is in a child’s best interests for an abuse of discretion.” *R.V.M.*, 8 N.W.3d at 696. And “[w]e give considerable deference to the district court’s findings because the analysis requires credibility determinations.” *Id.* (quotation omitted).

“In considering the child’s best interests, the district court must balance the preservation of the parent-child relationship against any competing interests of the child. Competing interests include such things as a stable environment, health considerations and the child’s preferences.” *K.S.F.*, 823 N.W.2d at 668 (citation and quotations omitted); *see also* Minn. R. Juv. Prot. P. 58.04(c)(2)(ii) (providing that, before a district court may order TPR, the court must “make a specific finding that termination is in the best interests of the child” and must address: (1) “the child’s interests in preserving the parent-child relationship”; (2) “the parent’s interests in preserving the parent-child relationship”; and (3) “any competing interests of the child”). “Where the interests of parent and child conflict, the interests of the child are paramount.” Minn. Stat. § 260C.301, subd. 7.

The district court determined the county “provided ample evidence” that the child’s interests “are best served by terminating parental rights.” And although the district court decided the child has “an interest in preserving her relationship with her mother,” it also ruled that the child has a “significant bond with the [foster] parents and family.” The district court acknowledged mother’s interest in preserving the parent-child relationship and her strong bond with the child but explained that the child “has significant medical needs that require numerous and frequent medical appointments” and that these needs are met by the

foster family. Moreover, the district court determined that mother's ability to meet the child's needs is "unknown at best." We conclude that the district court's best-interests decision is supported by substantial evidence and is not clearly erroneous.

There is substantial evidence that mother's inability to demonstrate her sobriety and to attend treatment—which evince her significant chemical and mental health issues—directly conflicts with the child's needs and best interests. Mother refused to submit UAs more often than she provided them. Substantial evidence supports the district court's finding that, "[o]ut of 120 required UAs[,] [mother] completed 55, with several positive tests for alcohol." Mother conceded during her trial testimony that she had not provided any UAs recently and that she was refusing to do so "until [her] daughter comes home." This admission followed mother's discharge from a treatment facility in October 2023.

While she received inpatient treatment, mother was reportedly "disruptive to the group process" and had been referred for individual sessions, but "was unable to or refused to address substance use and would become dysregulated while blaming others for her referral for services." Mother also "demonstrated an inability to address her history [and] harmful consequences that have resulted from her substance use." And it was noted that mother "tends to yell, protest, tear up papers, [and] push away chairs when she becomes upset."

After she was discharged from the treatment center, mother underwent a chemical use assessment. The evaluator "found that [mother] met the criteria for a substance use disorder and recommended ten individual sessions with a licensed alcohol and drug counselor, abstinence, attendance at mental health and psychiatry appointments, random

testing, attendance at community support groups,” and following the reunification case plan. But mother failed to complete her individual therapy sessions and was discharged for lack of attendance during the TPR trial. Mother does not challenge these findings on appeal, and they are supported by trial testimony provided by the social workers assigned to assist mother with her case plan. Thus, despite evidence of mother being a good parent to the child in the controlled setting of supervised visitation, we conclude that the district court did not clearly err in determining that TPR is in the child’s best interests based on the substantial evidence of mother’s inability to complete treatment and individual therapy.

Furthermore, the guardian ad litem testified that it was her recommendation that mother’s parental rights be terminated. And while the child’s maternal grandmother testified that she believed mother was “different” and more willing to do what she needed to do to get the child back, the maternal grandmother also stated that if mother were to get the child back in her care, mother was “going to need someone to continue to stay around for however long.” Although mother did complete various programs and courses, including classes on parenting, mindfulness, and anger management, substantial evidence of mother’s inability to regulate her emotions in stressful situations supports the district court’s finding that termination is in the child’s best interests. Despite testimony by staff at the supportive housing facility that mother should have custody of the child, the district court declined to credit their opinions. And we defer to district court findings that are “based on an evaluation of witness credibility and weighing of conflicting evidence.” *In re Welfare of M.A.H.*, 839 N.W.2d 730, 743 (Minn. App. 2013).

There is also substantial evidence that, given the child's medical needs related to her genetic condition, it is not in the child's best interests to return to mother's care. Aside from permanent hearing loss, the child has a hole in her heart. When the child began having medical appointments, mother's prompt attendance occurred largely because of the child's foster parent providing mother with rides. Once mother had to travel to the appointments on her own, however, she was late or did not attend at all. Relatedly, mother admitted during the TPR trial that she had missed three scheduled visits with the child during the month prior due to her alarm not going off. And the guardian ad litem testified that mother did not regularly attend the Help Me Grow program and "really missed out on learning about [the child's] hearing loss." She opined that mother "would struggle to identify [the child's] future needs" and "would struggle to make appointments and get [the child] to those appointments." By contrast, there is no indication in the record that the child's foster family had any trouble ensuring that the child continued to receive appropriate medical care for her condition. In fact, the guardian ad litem testified that the Help Me Grow hearing specialist "provided the foster parent lots of good information and education about [the child's] hearing loss."

Given this substantial evidence of the child's ongoing medical needs, mother's inability to complete treatment, to demonstrate her sobriety, and to regulate her emotions, we conclude that the district court did not abuse its discretion in determining that termination of mother's parental rights is in the child's best interests.

III. The district court did not abuse its discretion in determining that the county made reasonable efforts to reunify mother with the child.

Mother challenges the district court’s reasonable-efforts determination based on her argument that, given her diagnosed psychological functioning, the county did not make sufficient attempts to help her understand her case plan. She further asserts that the county’s “failure to play a greater role in [her] departure from [supportive housing] also leaves it short of providing reasonable efforts” and “suggests that the exchange of communications between the county and [the supportive housing] staff was not equivalent to reasonable efforts on the county’s behalf.” These contentions do not convince us that reversal is warranted.

We apply a clear-error standard of review to a district court’s findings of underlying facts about whether a county has made reasonable efforts to reunify a parent with a child. *See S.E.P.*, 744 N.W.2d at 387; *see also In re Welfare of Child of D.L.D.*, 865 N.W.2d 315, 321–23 (Minn. App. 2015), *rev. denied* (Minn. July 20, 2015); *In re Welfare of Children of J.R.B.*, 805 N.W.2d 895, 899–902 (Minn. App. 2011), *rev. denied* (Minn. Jan. 6, 2012). In reviewing a district court’s ultimate reasonable-efforts determination, however, we apply an abuse-of-discretion standard. *See D.L.D.*, 865 N.W.2d at 321–23 (citing *J.R.B.*, 805 N.W.2d at 900–901).

What reasonable efforts are required of a county depends on the individual facts of a particular case. *See T.A.A.*, 702 N.W.2d at 709; *see also In re Welfare of Child of A.M.C.*, 920 N.W.2d 648, 663 (Minn. App. 2018). In proceedings under section 260C.301, the district court “shall make findings and conclusions as to the provision of reasonable

efforts.” Minn. Stat. § 260.012(h) (2022). “When determining whether reasonable efforts have been made by the agency,” the district court must consider whether services to the child and family were:

- (1) selected in collaboration with the child’s family and, if appropriate, the child;
- (2) tailored to the individualized needs of the child and child’s family;
- (3) relevant to the safety, protection, and well-being of the child;
- (4) adequate to meet the individualized needs of the child and family;
- (5) culturally appropriate;
- (6) available and accessible;
- (7) consistent and timely; and
- (8) realistic under the circumstances.

Id. “The district court must also consider how long the county was involved and the quality of its efforts.” *J.H.*, 968 N.W.2d at 601. “Reasonable efforts at rehabilitation are services that go beyond mere matters of form so as to include real, genuine assistance.” *In re Welfare of Children of S.W.*, 727 N.W.2d 144, 150 (Minn. App. 2007) (quotation omitted), *rev. denied* (Minn. Mar. 28, 2007).

The district court made thorough findings on the county’s reasonable efforts to reunify mother with the child. In particular, the district court determined that “extremely detailed and compelling testimony” from the “highly experienced child protection social worker” provided “ample evidence” of the county’s efforts to connect mother with the appropriate services. And the district court explained that these efforts included “supportive living and housing assistance, psychological evaluation, diagnostic assessment, chemical dependency treatment, multiple Rule 25 assessments, mental health

treatment, public health nursing, [adult rehabilitative mental health services], Help Me Grow services, supervised visits, drug screening, parent education, and transportation assistance.”

We conclude that the district court did not abuse its discretion in determining that the county made reasonable efforts to reunify mother with the child. Mother’s assertions that the county failed to make reasonable efforts are unpersuasive and relate only to the breakdown in communication that occurred between the county and mother after she left supportive housing to live in an apartment on her own. But the co-manager at LPCFC testified that, once mother moved out of supportive housing, LPCFC continued to observe mother’s visits with the child. And the supportive housing facility—where mother made progress on her case plan—was a housing facility for mothers who identify as Black, indigenous, or people of color. The county’s incorporation of LPCFC’s supportive housing services into mother’s case plan is substantial evidence of its reasonable efforts, including by providing services that were “tailored to the individualized needs of the . . . child’s family[,]” “adequate to meet the individualized needs of the . . . family[,]” and “culturally appropriate.” Minn. Stat. § 260.012(h)(2), (4), (5). And the record otherwise contains specific testimony about the county’s reasonable efforts to assist mother with correcting the conditions that led to the child’s out-of-home placement. We therefore conclude that the district court’s determination that the county made reasonable efforts to reunify mother with the child was not an abuse of discretion.

In sum, the extensive documentary evidence and trial testimony establish grave and weighty reasons for termination of mother’s parental rights to the child. We conclude that

the district court did not abuse its discretion in ordering the TPR based on its determinations (1) that mother is palpably unfit to be a party to the parent and child relationship, (2) that termination of mother's parental rights is in the child's best interests, and (3) that the county made reasonable efforts toward reunification.

Affirmed.