

*This opinion is nonprecedential except as provided by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
A25-0070**

In the Matter of the Welfare of the Child of:
A. N. C. and P. D. C., Parents.

**Filed September 2, 2025
Affirmed
Larkin, Judge**

Wright County District Court
File No. 86-JV-23-5257

Kimberly Stommes, Jeddeloh Snyder Stommes, St. Cloud, Minnesota (for appellant)

Brian A. Lutes, Wright County Attorney, Kyle E. Day, Assistant County Attorney, Buffalo, Minnesota (for respondent)

Janell Trocke, Stillwater, Minnesota (guardian ad litem)

Considered and decided by Ross, Presiding Judge; Larkin, Judge; and Bond, Judge.

NONPRECEDENTIAL OPINION

LARKIN, Judge

Appellant mother challenges the district court's termination of her parental rights.

We affirm.

FACTS

In August 2024, respondent Wright County Health & Human Services (the county) petitioned the district court to terminate the parental rights of appellant ANC (mother) to

her child ADC (the child), who was born in January 2023.¹ In November 2024, the district court held a trial on the termination petition. At the start of trial, the child was approximately 22 months old and had been in out-of-home placement her entire life, with the exception of a trial home visit with mother from February 2, 2024, to May 14, 2024. The district court set forth the circumstances leading to the termination of mother's parental rights in its detailed posttrial findings of fact, which are summarized below.

On January 13, 2023, mother gave birth to the child. On January 14, a physical altercation occurred between mother and the child's father in the hospital room while the child was present. The same day, the county received a child-protection report stating that both mother and the child had tested positive for amphetamines and methamphetamine. Mother admitted that she had used chemicals as recently as January 11. On January 23, the county filed a child in need of protection or services petition seeking protective care for the child. The district court held an emergency-protective-care hearing, placed the child in protective care, and granted the county temporary custody of the child.

In February 2023, the district court adjudicated the child in need of protection or services based on mother's ongoing substance use and addiction issues. The district court ordered mother to complete chemical-dependency treatment and to comply with all recommendations. The district court also ordered mother to abstain from the use of alcohol and controlled substances, submit to random drug testing, attend therapy, obtain a stable and sober living environment, attend anger management classes, sign all necessary releases

¹ PDC is the child's biological father. PDC consented to the termination of his parental rights to the child, and he has not participated in this appeal.

for the county and guardian ad litem, remain law abiding, and follow all court orders. The district court approved and adopted a case plan and ordered mother to comply with the requirements of the plan.

Between February 2023 and the November 2024 termination trial, mother failed to comply with the requirements of the court-ordered case plan. Specifically, mother failed to maintain her sobriety. The district court's findings show that mother unsuccessfully attempted to complete chemical-dependency treatment at least six times during the pendency of this matter.

Although most of mother's attempts to complete chemical-dependency treatment were unsuccessful, the district court found that mother "demonstrated marked progress in her sobriety and parenting skills during the fall of 2023 and winter/early spring of 2024." During that time, mother successfully completed and graduated from outpatient chemical-dependency treatment programming, and her drug screens were negative. On February 2, 2024, mother began a trial home visit with the child.

However, this period of compliance ended abruptly when mother met with her social worker on May 13, 2024, and "reported being drugged and sexually assaulted on May 11, 2024, while [the child] was in respite care." The following day, mother tested positive for amphetamines. The social worker and child-protection team met "due to several inconsistencies in [mother's] report of the sexual assault and possible drug use." The social worker and child-protection team agreed that the child should be in respite care until the case could be further assessed. On May 16, mother submitted to chemical testing and the result came back negative for all substances except THC. The social worker informed

mother that the child would return to her care. Shortly thereafter, the social worker received a police report that revealed “contradictions in [mother’s] recitation of the facts” and included “a statement from [mother] that she had smoked crack and had taken mushrooms.” After receiving this report, the child remained in respite care.

Between May 15, 2024, and June 3, 2024, mother missed ten video calls with the child and “[h]er visits with [the child] became more and more sporadic.” At a May 31, 2024 review hearing, the county alleged that mother “was using drugs” and “associating with drug users.” At a June 12, 2024 review hearing, the district court asked mother if she needed any additional resources from the court or the county, and mother indicated that she did not. On June 20, 2024, mother tested positive for methamphetamine, and her trial home visit with the child officially ended.

Beginning on June 21, 2024, mother missed numerous random drug tests. Between early June and August 1, 2024, mother did not visit the child and missed all video calls with the child. On June 26, 2024, mother reported to her probation agent that she had used “methamphetamine, crack, cocaine, and ecstasy within the past week.” And on July 3, mother reported to the social worker that she was high. On the same day, mother indicated that she had completed a chemical-dependency evaluation and would be entering inpatient treatment. But mother did not enter treatment at that time. At a July 8, 2024 review hearing, the county reported that mother’s sweat patch came back positive for methamphetamine.

Throughout July 2024, mother failed to appear for drug testing. On July 17, mother completed another chemical-dependency evaluation, which recommended that she enter

treatment, but she did not do so. On July 18, mother was booked on fifth-degree drug possession charges. On July 31, mother had a positive drug test.

Between August and November 2024, mother made several more unsuccessful attempts to complete chemical-dependency treatment. During this time, mother was unsuccessfully discharged from two programs. On November 18, 2024, mother had another positive drug test. And at trial, mother “admitted that she ha[d] been using fentanyl and heroin for the past three months.” At the time of trial, mother “claimed that she had been sober for seven days,” and she was in treatment at Recovering Help in Mora, Minnesota.

In December 2024, the district court terminated mother’s parental rights to the child. The district court concluded that the county proved three statutory grounds for termination, that the county had made reasonable reunification efforts, and that termination of mother’s parental rights was in the child’s best interests.

Mother appeals.

DECISION

Minnesota courts will terminate parental rights “only for grave and weighty reasons.” *In re Welfare of M.D.O.*, 462 N.W.2d 370, 375 (Minn. 1990). The petitioner bears “the burden of producing clear and convincing evidence that . . . [a] statutory termination ground[] exists.” *In re Welfare of C.K.*, 426 N.W.2d 842, 847 (Minn. 1988). A district court’s decision in a termination proceeding must be based on evidence concerning the conditions that exist at the time of the termination. *In re Welfare of Child of T.D.*, 731 N.W.2d 548, 554 (Minn. App. 2007), *rev. denied* (Minn. July 17, 2007).

Termination of a parent’s rights is intended for those situations in which it appears “that the present conditions of neglect will continue for a prolonged, indeterminate period.” *In re Welfare of Chosa*, 290 N.W.2d 766, 769 (Minn. 1980).

In a termination appeal, we examine the record to determine whether the district court applied the appropriate statutory criteria. *In re Welfare of D.L.R.D.*, 656 N.W.2d 247, 249 (Minn. App. 2003). We review the underlying findings of fact for clear error, and we review a determination that a statutory ground for termination exists, as well as the court’s ultimate decision to terminate parental rights, 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 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.” *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022) (quotation omitted).

We will affirm a termination order if at least one statutory ground for termination is supported by clear and convincing evidence and termination is in the best interests of the child, so long as either the county made reasonable efforts to reunite the family if reasonable efforts were required or those efforts were not required. *In re Child. of T.A.A.*, 702 N.W.2d 703, 708 (Minn. 2005); *see* Minn. Stat. § 260.012(a) (2024) (addressing circumstances when a county need not make reasonable efforts); *see also* Minn. Stat. § 260C.301, subd. 8 (2024) (noting reasonable efforts may not be required in some circumstances). Ultimately, the party challenging a termination must show error and prejudice to obtain relief. *See Midway Ctr. Assocs. v. Midway Ctr., Inc.*, 237 N.W.2d 76,

78 (Minn. 1975) (stating that to prevail on appeal, an appellant must show both error and prejudice resulting from the error); *In re Welfare of Child. of J.B.*, 698 N.W.2d 160, 171 (Minn. App. 2005) (applying *Midway* in a termination-of-parental-rights case), *petition for rev. dismissed* (Minn. May 3, 2005).

I.

Mother contends that the statutory termination grounds on which the district court relied were not supported by clear and convincing evidence.

Minnesota law sets forth multiple statutory grounds for the involuntary termination of parental rights. See Minn. Stat. § 260C.301, subd. 1(b) (2024). One of the three grounds on which the district court relied was Minn. Stat. § 260C.301, subd. 1(b)(2), which provides that a district court may terminate parental rights if “the parent has substantially, continuously, or repeatedly refused or neglected to comply with the duties imposed upon that parent by the parent and child relationship” and that either “reasonable efforts by the social services agency have failed to correct the conditions that formed the basis of the petition or reasonable efforts would be futile.” “Failure to satisfy requirements of a court-ordered case plan provides evidence of a parent’s noncompliance with the duties and responsibilities under section 260C.301, subdivision 1(b)(2).” *In re Welfare of Child. of K.S.F.*, 823 N.W.2d 656, 666 (Minn. App. 2012).

The district court concluded that mother failed to comply with the duties imposed by the parent-child relationship “due to her severe and chronic substance abuse and unaddressed mental health issues.” The district court found, based on mother’s testimony, that mother “knew she had to maintain sobriety and she knew what was at stake if she did

not do so.” The district court further found—and the record supports—that mother failed to comply with her case plan requirements. The court therefore concluded that mother substantially, continuously, and repeatedly refused or neglected to comply with the duties imposed upon her by the parent-child relationship.

Mother challenges the district court’s determination that there was clear and convincing evidence of a statutory ground for termination under Minn. Stat. § 260C.301, subd. 1(b)(2). First, mother argues that “[the county] did not provide reasonable efforts” and that, therefore, there was not sufficient evidence that “reasonable efforts by [the county] ha[d] failed to correct the conditions that formed the basis of the petition.” For the reasons explained in Section II of this opinion, the district court correctly determined that the county made reasonable efforts. Thus, mother’s reasonable-efforts-based argument regarding the district court’s statutory basis for termination under Minn. Stat. § 260C.301, subd. 1(b)(2), fails.

Next, mother argues that there was not clear and convincing evidence to support grounds for termination under Minn. Stat. § 260C.301, subd. 1(b)(2) because, during her trial home visit with the child, mother ensured the child was fed, introduced the child to new foods, bathed the child, took the child to daycare, and made sure the child socialized with other children. Mother claims that she therefore met all the child’s needs.

Contrary to mother’s claims, however, the district court found that mother failed to comply with the third and fourth requirements of her court-ordered case plan—which expressly related to providing a safe home for the child and meeting the child’s needs. The court explained that mother had not maintained a residence or consistent employment, and

that, by her own admission, mother missed more video and in-person visits with the child than she could count. The court also explained that mother's parenting assessment identified that mother's "history of substance use and abuse and her potential for relapse" as "the most significant barrier to [mother's] capacity to maintain a safe and suitable environment for [the child]." The court observed that mother "has no insight into the widespread effects of her drug use" and that mother "does not demonstrate the aptitude to understand how her missed visits have negatively impacted [the child] and the ability to form the necessary parent-child bond."

This court recognizes mother's efforts during her trial home visit with the child and her success during that limited period. However, we are not persuaded that mother's brief period of success renders the district court's termination under Minn. Stat. § 260C.301, subd. 1(b)(2), an abuse of discretion.

Lastly, mother argues that she did not fail to satisfy the requirements of the court-ordered case plan and that, therefore, there is not clear and convincing evidence supporting termination under Minn. Stat. § 260C.301, subd. 1(b)(2). As to her mental health, mother argues that she completed a parenting and neuropsychological assessment and that she attended some mental-health therapy. Mother also argues that, throughout the pendency of this matter, she completed multiple chemical-dependency evaluations, completed treatment in March and October of 2023, graduated from treatment in April of 2024, and demonstrated that she can stay clean for a period of nine months. Finally, mother argues that "as of the time of trial she was sober[,] and she [had] addressed her chemical use in a

manner which would allow her to safely parent [the child].” Mother therefore asserts that she complied with her case plan.

The district court found that mother failed to comply with the mental-health components of her court-ordered case plan. The court found that mother “ha[d] not participated in consistent and significant individual therapy to address her mental health diagnoses,” that she “failed to demonstrate adequate mental health and maturity to consistently meet [the child’s] needs,” and that she “does not understand or appreciate her significant mental health diagnoses or the effect the diagnoses have on her parenting abilities.” The court noted that mother’s mental-health diagnostic assessment contained specific recommendations that she abstain from mood-altering chemical substances and complete chemical-dependency treatment. And the district court found that mother’s mental health “significantly impacts and triggers her chemical use” and that her “continued use of substances throughout the pendency of this matter demonstrates that her underlying mental health issues have not been addressed.” The record provides clear and convincing support for those findings.

As to mother’s commitment to sobriety, the district court found that mother failed to comply with that case-plan requirement “in any meaningful way.” The court explained that mother had not consistently attended sober-support meetings or demonstrated the ability to remain sober, had not completed chemical-dependency treatment since May 2024, had admitted to using methamphetamine, fentanyl, cocaine, GHB, and heroin in the time leading up to trial, had consistently failed to submit to drug testing, and had “upwards of ten chemical dependency evaluations” that “largely contain[ed] the same

recommendations.” The district court credited the social worker’s testimony that mother “knows she needs help to stay sober, she does not have the commitment to change, and she is unable to maintain sobriety in a non-structured setting.” Finally, the court found that mother’s “last-ditch effort to address her chemical dependency” and her seven days of sobriety at the time of trial did not demonstrate compliance with the case plan considering her significant number of unsuccessful treatment attempts throughout the pendency of this matter. Again, the record provides clear and convincing support for those findings.

Given the record before us, we are not persuaded that the district court’s determination that mother failed to comply with her court-ordered case plan is against logic or the facts in the record. *See J.H.*, 968 N.W.2d at 603 (holding that court did not abuse discretion in determining statutory violation under Minn. Stat. 260C.301, subd. 1(b)(2) despite parent’s recent progress when parent’s otherwise inconsistent attempts to address chemical health were undisputed). Thus, mother fails to show that the district court abused its discretion by concluding that the county proved—by clear and convincing evidence—a statutory basis to terminate her parental rights under Minn. Stat. § 260C.301, subd. 1(b)(2). Because we affirm this statutory ground for termination, we do not address the other statutory grounds on which the district court relied. *T.A.A.*, 702 N.W.2d at 708 (stating that only one statutory ground for termination need be proved).

II.

Mother contends that the district court erred in its reasonable efforts determination. The district court must make “specific findings” in every termination proceeding that either “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. When reasonable efforts are required, as is the case here, courts must consider whether the services provided to the parent and child 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.

Minn. Stat. § 260.012(h) (2024). “Reasonable efforts encompass more than just a case plan.” *In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 88 (Minn. App. 2012)

We review a district court’s findings identifying the efforts the county made to reunify a family 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); *see J.K.T.*, 814 N.W.2d at 87 (stating that we review the district court’s factual findings for clear error). But we review the district court’s determination whether those efforts were reasonable for an abuse of discretion. *See In re Welfare of Child of D.L.D.*, 865 N.W.2d 315, 323 (Minn. App. 2015) (concluding that the district court’s “reasonable-efforts finding was not an abuse of discretion”), *rev. denied* (Minn. July 20, 2015). “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.” *Woolsey*, 975 N.W.2d at 506 (quotation omitted).

The district court found that the county made reasonable efforts to reunify mother with the child within the meaning of Minn. Stat. § 260.012 (2024). Specifically, the court found that the county “provided services and made numerous referrals for [mother]” and that these efforts “were specifically formulated to address [mother’s] chemical dependency and mental health needs, in addition to helping [mother] learn to effectively create boundaries and make safe and responsible decision[s] that were in [the child’s] best interests.”

Mother argues that the district court abused its discretion because it “utterly failed to consider” the factors set forth under Minn. Stat. § 260.012(h). The record refutes this argument. The district court found that the county’s reunification efforts included

the out of home placement plan; contact via in-person, phone, and email; chemical dependency evaluations; inpatient and outpatient chemical dependency treatment; drug testing; transportation to drug testing; parenting assessment; parenting education curriculums; parenting skills; life skills; coordination with probation services; fuel cards; bus passes; public assistance application; housing resources; nutrition resources; phone service; supervised visits; YMCA membership; therapeutic foster care support; transportation for [the child] to visits; transportation to court for [mother]; Help Me Grow evaluation for [the child]; Follow Along program for [the child]; medical [] check-ups for [the child]; WIC (Woman, Infants & Children nutritional benefits) for [the child]; childcare for [the child]; early learning scholarship for [the child]; Anoka County home monitoring program; and clothing for [the child].

The district court further found that the county's efforts and provision of resources to mother were "specifically formulated" to address her chemical-dependency, mental-health, and parenting needs. The court also found that the county provided "significant and consistent services to [mother] regarding her drug use, which was the most critical effort to reunifying the family." The district court's findings are supported by the record, and they refute mother's argument that the district court failed to consider the factors set forth under Minn. Stat. § 260.012(h).

Mother complains that the county "failed to update [her] case plan to provide assistance to her as a result of the trauma of her sexual assault," that she did not receive domestic-violence services, and that she did not receive assistance locating, or getting to sober meetings or eye-movement-desensitization-and-reprocessing (EMDR) therapy. The thrust of each of these arguments is that the services offered by the county were insufficient to achieve reunification. The district court ultimately found, however, that "[r]eunification has failed not because the County did not make reasonable efforts to help [mother] locate treatment facilities or support her attempts at sobriety, but because [mother] would abruptly leave treatment for insignificant reasons and quickly relapse upon exit." The court further found that, despite mother's dissatisfaction with the social worker, the social worker was "responsive to [mother] and continued to provide support, resources, and referrals for further help."

Moreover, to the extent that mother complains that the county did not provide the requisite resources or amend her case plan after her alleged sexual assault in May 2024, the district court specifically asked mother at a June 12, 2024 review hearing if she needed

any additional resources from the court or the county. Mother declined additional resources.

On this record, we are not persuaded that the district court abused its discretion in finding that the county made reasonable reunification efforts.

III.

Mother contends that the district court erred in its best-interests determination. If a statutory ground for termination of parental rights is proved, “the best interests of the child must be the paramount consideration.” Minn. Stat. § 260C.301, subd. 7 (2024). Thus, a district court’s order terminating parental rights must include a finding that termination is in the child’s best interests. *In re Welfare of Child of D.L.D.*, 771 N.W.2d 538, 545, 547 (Minn. App. 2009). “The ‘best interests of the child’ means all relevant factors to be considered and evaluated.” Minn. Stat. § 260C.511(a) (2024).

In assessing a child’s best interests, the district court must balance “(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) (requiring the district court to analyze these factors in a termination proceeding). Although the interests of the parent and child must be balanced, they are not “weighed equally.” *In re Welfare of Udstuen*, 349 N.W.2d 300, 304 (Minn. App. 1984). Instead, if the district court rules that a basis to terminate parental rights exists, the best interests of the child are the paramount concern. Minn. Stat. § 260C.301, subd. 7; *In re Child of P.T.*, 657 N.W.2d 577, 583 (Minn. App. 2003), *rev. denied* (Minn. Apr. 15,

2003). We review the district court's determination that termination is in the child's best interests for an abuse of discretion. *J.H.*, 968 N.W.2d at 600.

In addressing the child's best interests, the district court relied on the testimony of the child's guardian ad litem, which it expressly credited. Based on that testimony, the district court found that the child "needs permanency and stability" and that the child was "thriving in her current placement." The court also found that mother had "not demonstrated she can be a safe and stable parent, and she has not maintained her sobriety[,] nor has she maintained a relationship with [the child]." The district court credited the guardian ad litem's testimony that mother "has not demonstrated that she understands or has the ability to meet or understand [the child's] needs." Accordingly, the court reasoned that the child's need for "a sober home with a mentally healthy parent, stability, and safety outweigh the interest in preserving the parent-child relationship between [mother] and [the child]." Thus, the district court determined that termination was in the best interests of the child.

Mother argues that the district court's best-interests findings are not supported by record. Mother also argues that the district court "did not adequately analyze the best interests of the child because the Court did not specifically make findings regarding the child's interest in preserving the parent-child relationship, the parent's interest in preserving the parent-child relationship[,] and any competing interest of the child."

In support of these arguments, mother relies on her own testimony at trial, in which she claimed that "it would be in [the child's] best interests" to live with mother and that the child "would rather be with her than [mother's] relatives." Mother argues that, during

her trial home visit, she met all the child's needs and that there was no testimony that mother "had ever been inappropriate during [supervised] visits or had failed to meet the child's needs during the visits." Mother also argues that she has "shown the capacity to participate in chemical dependency treatment" by completing several chemical-dependency evaluations during the pendency of this matter, by completing treatment successfully in March and October 2023, by graduating from a treatment program in April 2024, and by participating in treatment at the time of trial.

Mother's reliance on her own testimony regarding the child's best interests is unavailing because the district court explicitly found that mother's testimony was not credible, and we defer to that determination. *See In re Welfare of L.A.F.*, 554 N.W.2d 393, 396 (Minn. 1996) ("Considerable deference is due to the district court's decision because a district court is in a superior position to assess the credibility of witnesses."). Moreover, mother essentially asks us to reweigh the evidence, which we cannot do. *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221 (Minn. 2021).

As detailed in the district court's findings—which are supported by the record—at the time of trial, mother had not demonstrated a real commitment to sobriety or the ability to provide the child with a stable home. And the district court found that the child had been "thriving in her current placement[,]" where her needs were being met and she was achieving her developmental milestones. The court weighed these considerations and determined that the child's "needs for a sober home with a mentally healthy parent, stability, and safety outweigh the interest in preserving the parent-child relationship." *See In re Welfare of Child of A.M.C.*, 920 N.W.2d 648, 657 (Minn. App. 2018) (stating that the

district court's findings as to "mother's chemical-dependency issues, her unstable housing situation, and the fact that [the child] has been successful while in foster care[,] were valid considerations when assessing the best-interests factors).

Finally, we are not persuaded by mother's argument that the district court did not "adequately analyze the best interest of the child" because the court "did not specifically make findings regarding the child's interest in preserving the parent-child relationship, the parent's interest in preserving the parent-child relationship[,] and any competing interests of the child." This court has previously recognized that facts similar to those on which the district court relied are "valid considerations" based on the "relevant factors." *Id.* at 657. Moreover, although the district court did not make specific findings regarding each factor, consideration of the relevant factors is nonetheless implied in the court's analysis.

In sum, mother has not shown that the district court's best-interests determination was based on erroneous findings or was otherwise an abuse of its discretion. *See J.H.*, 968 N.W.2d at 600 ("In reviewing the district court's order terminating parental rights, we review the underlying findings of fact for clear error."); *see Woolsey*, 975 N.W.2d at 506 (abuse of discretion occurs where court's decision is against logic and the facts in the record).

Because mother has not shown a basis for relief, we affirm.

Affirmed.