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

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-0938**

In the Matter of the Welfare of the Child(ren) of: A. R.-P. and J. O., Parents.

Filed December 1, 2025

Affirmed

Smith, Tracy M., Judge

Washington County District Court
File No. 82-JV-24-647

Amy L. Senn, Amy L. Senn, P.A., Afton, Minnesota (for appellant mother A.R.-P.)

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

Cynthia Yang, Stillwater, Minnesota (guardian ad litem)

Considered and decided by Smith, Tracy M., Presiding Judge; Slieter, Judge; and Harris, Judge.

NONPRECEDENTIAL OPINION

SMITH, TRACY M., Judge

On appeal from the termination of her parental rights, appellant A.R.-P. (mother) argues that the district court abused its discretion by determining that (1) the county made reasonable efforts to reunite the family and (2) termination of parental rights was in the child's best interests. We affirm.

FACTS

Mother has one child at issue here, born in 2019. The child was six years old at the time of the district court's order terminating mother's parental rights.

In April 2024, Woodbury police responded to reports that mother was making suicidal statements and homicidal statements about her child. When the police engaged with her, mother said that Dakota County social services had ruined her life and said that, if it did not fix its mistakes, mother was going to kill herself and the child.¹ Mother acknowledged that she was probably a danger to the child because she was not mentally stable, and she acknowledged that she had used methamphetamine two days earlier. The police placed mother on an evaluative hold and transported her to the hospital.

Respondent Washington County Community Services (the county) opened an investigation the following day. County social workers met with mother. She told them that she would not actually kill her son but that she made the statements because she was feeling desperate due to housing issues and lack of money and transportation. She said that she used methamphetamine daily, including in her garage while the child was in the house, but denied that it affected her parenting. Mother said that she had diagnoses for several mental-health issues and was taking medication for those issues.

The county filed a child-in-need-of-protection-or-services (CHIPS) petition. Following an emergency hearing, the child was placed in foster care, where he remained

¹ Dakota County Social Services had initiated a child-protection matter in 2019 when the child tested positive for methamphetamine at birth. That matter had been closed by April 2024.

throughout this case. An out-of-home-placement plan was filed with the district court and was later updated. In September 2024, the child was adjudicated CHIPS after mother was found to be in default. In December 2024, the county petitioned to terminate mother's parental rights. A trial was held on April 21-22, 2025—a year after the case began.

For the first five months after the case was initiated in April 2024, mother passed in and out of several chemical-health treatment centers, never staying for more than a few days. During that time, mother would often become agitated and verbally aggressive with treatment center staff and county social workers. Mother made death threats against her mother and a social worker, resulting in two charges of felony threats of violence. In late September 2024, mother finally committed to inpatient care, and she remained sober and in treatment until trial. While in treatment, she was diagnosed with generalized anxiety disorder, major depressive disorder, and PTSD. At the time of trial, she was in a residential facility to address mental-health issues. However, mother denied needing further mental health treatment.

Upon a referral by the county, mother also participated in a parenting assessment. In addition, the county referred the child for an early childhood behavior assessment and then to weekly therapy.

Over the course of the year before trial, mother had difficulties with housing and transportation. The county provided mother with contact information for Washington County's Homeless Outreach support team and attempted to inquire about the loss of her housing, but mother refused to sign a release. The county arranged transportation to get mother to assessments and court dates, setting up rides via a rideshare service, treatment-

center employees, family members, or county social workers themselves. In one instance, however, mother missed her appointment for a psychological assessment because she was living far from the county, and no rideshare driver responded to the request.

Between April 2024 and April 2025, the county tried various approaches to visits between mother and the child. In May 2024, mother attended two in-person visits with the child, which were supervised by the county's social workers. The first went well. At the second visit, mother became agitated and insisted that the child had bruises and marks caused by abuse from his foster family. Social workers examined the child and found no bruises or marks, but mother maintains that they did not look. During mother's outburst, the child asked to leave, ending the visit. Because of mother's aggressive behavior toward the social workers, the county sought to use an external agency to supervise future visits, but mother refused to sign a release for an external agency visitation, so visits with the child were paused until she entered treatment and demonstrated stability. In late October 2024, after a month in treatment, mother was permitted to resume supervised virtual visits with the child. Although the visits went fairly well, they remained virtual due to mother's continued threats to staff. Visits occurred in this fashion twice a week until trial.

On May 21, 2025, following trial, the district court filed its findings of fact, conclusions of law, and order involuntarily terminating mother's parental rights.

Mother 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). A district court may terminate parental

rights if at least one statutory ground for termination exists, the county either made reasonable efforts to reunite the family or those efforts were not required, and termination is in the best interests of the child. *In re Welfare of Child. of S.E.P.*, 744 N.W.2d 381, 385 (Minn. 2008); *see* Minn. Stat. § 260.012(a) (2024) (providing the reasonable-efforts requirement). The evidence supporting the statutory grounds, best-interests determination, and any reasonable efforts must be clear and convincing. *In re Child. of T.A.A.*, 702 N.W.2d 703, 708 (Minn. 2005). The evidence must address conditions as they exist at the time of the hearing and show that the current conditions “will continue for a prolonged, indeterminate period.” *In re Welfare of Child. of J.R.B.*, 805 N.W.2d 895, 901-02 (Minn. App. 2011) (quotation omitted).

In reviewing a district court’s order terminating parental rights, appellate courts review the district court’s findings of underlying or basic facts for clear error. *Id.* at 901. But the appellate court reviews the district court’s determinations that the county made reasonable efforts to reunify the family and that termination is in the child’s best interests for an abuse of discretion. *In re Welfare of Child of D.L.D.*, 865 N.W.2d 315, 322-23 (Minn. App. 2015) (reasonable efforts); *J.R.B.*, 805 N.W.2d at 905 (best interests). The appellate court also reviews for an abuse of discretion the ultimate decision to terminate parental rights. *In re Welfare of Child of J.H.*, 968 N.W.2d 593, 600 (Minn. App. 2021).

In challenging the district court’s decision to terminate her parental rights, mother argues that the district court abused its discretion by determining that (1) the county made reasonable efforts to reunite her with the child and (2) termination was in the child’s best interests. We address each argument in turn.

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

To terminate parental rights, unless reasonable efforts are excused, the district court must find “that reasonable efforts to finalize the permanency plan to reunify the child and the parent were made.” Minn. Stat. § 260C.301, subd. 8 (2024). In determining reasonable efforts, the district court must consider whether services 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).

Here, the district court reviewed the actions taken by the county, which included making out-of-home placement plans, referring mother to chemical-health assessments and multiple chemical-health treatment programs, referring mother for a psychological evaluation, arranging a parenting assessment, providing transportation to assessments and treatment programs, setting up in-person and virtual visits with the child, and referring the child for a behavioral assessment and therapy. It ultimately determined that the county made reasonable efforts to reunify mother and the child throughout the proceedings.

Mother argues that, for four reasons, the district court abused its discretion by ruling that the county’s efforts were reasonable.

First, mother asserts that she did not have sufficient time to complete the services that she needed in order to address her chemical-health and mental-health issues and that the county could have delayed filing its petition to terminate parental rights to give her more time to complete the services. “Whether efforts are ‘reasonable’ requires consideration of the length of time the county has been involved with the family as well as the quality of effort given.” *In re Welfare of M.G.*, 407 N.W.2d 118, 122 (Minn. App. 1987). At the time that the county filed its petition to terminate parental rights, it had been involved with mother and the child for eight months. Over the first five of those months, the county referred mother to three different treatment facilities—each of which mother either voluntarily left or was expelled from. Mother did eventually commit to programs to address her substance use and maintained her sobriety. But, the district court found that, even by the time of trial, mother still refused to take responsibility for her actions or recognize the need for mental-health services or the impact that her mental-health issues had on the child. The record reflects timely, consistent, and adequate efforts to provide chemical-health and mental-health services, delayed only by mother’s own actions. *See* Minn. Stat. § 260.012(h)(4), (7).

Second, mother argues that the county did not provide the transportation required for her to attend treatment. Mother’s social worker testified to the transportation issues at trial. The typical procedure for arranging rides was to make a referral to the child-protection department, which had a contract with a rideshare company. The department would then order a ride, which drivers could either accept or decline. Drivers were less likely to accept rides in the first place because mother chose some of her own treatment centers far away

from Washington County. When no driver accepted, treatment-center employees and mother's family members helped, each time receiving a gas card from the county. And all else failing, mother's social worker would pick her up himself. It is true that mother was unable to attend a psychological assessment for lack of transportation when no rideshare-service driver responded. But, overall, the record evidence supports a determination that the county provided consistent and timely transportation options that were realistic under the circumstances. *See* Minn. Stat. § 260.012(h)(7), (8).

Third, mother claims that the county did not support in-person visits with the child and that giving her more time with the child would have helped to achieve reunification. The county tried several approaches to facilitate visits between mother and the child. It started with in-person visits but paused them for safety concerns after an incident in which mother became agitated and verbally aggressive towards staff. The county attempted to refer visits to an external agency, but mother refused to sign a release of information. Once mother had been in treatment for a month, the county resumed visits virtually. While the county contemplated returning to in-person visits, visits remained virtual due to mother's continued threats to staff. The child occasionally asked to leave visits early or cancel them altogether because he did not want to see his mother. The county also observed "disruptive" behavior in the child following visits, which led them to shorten visit duration. The record evidence supports a determination that the county made consistent, timely, and realistic efforts to restore in-person visits, while also considering the child's wishes and well-being. *See* Minn. Stat. § 260.012(h)(3), (7), (8).

Fourth and finally, mother argues that the county was deficient in helping her obtain housing. Mother testified that the county “got [her] house taken away” and that, when she asked a social worker about housing, he responded, “That’s not my job.” But mother’s first social worker testified that she provided mother with the number for Washington County’s Homeless Outreach support team on “multiple occasions throughout the case.” She made this referral because “they have more of an idea as to what is available for as to housing resources or shelter resources and could have pointed her in a better direction.” Mother also refused to sit down and discuss the issue or sign a release allowing the county to inquire about her former housing. In addition, whether efforts are reasonable depends on the problems presented, *In re Child. of T.R.*, 750 N.W.2d 656, 664 (Minn. 2008), and here, the county prioritized addressing mother’s substance abuse and mental health before getting her back into a home on her own. The record evidence supports a determination that the county’s efforts to provide housing services were reasonably tailored to mother’s needs and realistic for the situation. *See* Minn. Stat. § 260.012(h)(2), (8).

In sum, the district court’s determination that the county made reasonable efforts to reunify mother with the child is supported by the record and is therefore not an abuse of discretion.

II. The district court did not abuse its discretion by determining that termination was in the best interests of the child.

To determine 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 A.M.C., 920 N.W.2d 648, 657 (Minn. App. 2018); *see* Minn. R. Juv. Prot. P. 58.04(c)(2)(ii). “Competing interests include health considerations, a stable environment, and the child’s preference.” *In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 92 (Minn. App. 2012). When, as here, a statutory basis to involuntarily terminate parental rights is present, the child’s interests are paramount and predominate over parental interests. *In re Welfare of Child of R.V.M.*, 8 N.W.3d 680, 697 (Minn. App. 2024) (citing Minn. Stat. § 260C.301, subd. 7 (2022)), *rev. denied* (July 19, 2024).

Here, the district court determined that both mother and the child have an interest in maintaining the parent-child relationship. Regarding the child, the district court recognized that, although the child would get anxious when mother became dysregulated during in-person visits, he appeared to enjoy his virtual visits with mother. Regarding mother, the district court recognized that she clearly loves her child; that she continually sought more visits with him throughout the case; that she sought information about the child’s educational, medical and therapeutic needs; and that she demonstrated that she can engage with the child and enjoys playing with him.

The district court then identified the competing interests of the child. The district court found that, while mother had maintained sobriety, she was still struggling with safety and stability. It found that mother “escalates to aggressive, insulting, and threatening behavior” with professionals and family members, failed to regulate her behavior with the child, still did not take accountability for her current situation, and had recently threatened to remove the child from foster care. The district court also emphasized the impact of mother’s substance-abuse and mental-health issues on the child. It noted that the child

tested positive for controlled substances at birth, was present when mother threatened to kill him and herself, and likely has trauma and will need mental-health services to support his emotional, mental, and behavioral health. It found that mother did not recognize the child's need for treatment or her own need for therapy. The district court ultimately determined that the child's "interest in having a safe, stable, secure caregiver outweighs any other competing interest."

Mother argues that the district court abused its discretion for two reasons.

First, she argues that she had remained sober and mentally stable for seven months prior to trial. She asserts that "[t]here is no evidence submitted to question [her] ongoing commitment to sobriety and managing her mental health." The record refutes mother's argument. At trial, mother denied needing any further mental-health treatment, and blamed Dakota County and "everybody" for her current situation. Although mother was consistently sober for the seven months before trial, her mental health remained a crucial concern to the county. Mother's mental-health diagnostic assessment in October 2024 identified generalized anxiety disorder, major depressive disorder, and PTSD and deemed mental-health services "medically necessary." Several witnesses at trial, including mother's social worker, the child's guardian ad litem, and the parenting-observation assessor, identified mental health as an ongoing concern that needed treatment, despite mother's reluctance to acknowledge this fact. The parenting assessment from April 2025 found it critical that mother take responsibility for the effects of her mental health on her relationship with the child and recommended weekly individual therapy. This evidence provides reason for the district court to question mother's commitment to managing her

mental health and willingness to take accountability for it. The district court did not err in determining that mother's mental-health issues were a competing interest.

Second, mother argues that, with housing assistance from the county, she would be able to provide a home for the child and, as a result, stability would not be a competing interest. At the time of trial, mother had no home and had been in and out of treatment since May 2024. Even assuming that she could secure housing immediately, however, all assessments recommended continued treatment for both mother and the child, and mother had indicated that if she were reunited with the child, she would take him and "move away," detaching them from treatment and support systems. On this record, mother's argument that that housing would establish the necessary stability is unconvincing. The district court did not err in determining that stability was a competing interest.

In sum, the record evidence supports the district court's determination that the child's interests in safety and stability outweigh any other interests. The district court therefore did not abuse its discretion in determining that termination of parental rights was in the child's best interests.

Affirmed.