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

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-0966**

In the Matter of the Welfare of the Children of: C. H. G. and R. R. G., Parents.

**Filed December 15, 2025
Affirmed
Reyes, Judge**

Clay County District Court
File No. 14-JV-25-311

Anne Morris Carlson, St. Paul, Minnesota (for appellant mother C.H.G.)

Brian J. Melton, Clay County Attorney, Ashley Turner, Assistant County Attorney,
Moorhead, Minnesota (for respondent Clay County Social Services)

Mara Rausch, Moorhead, Minnesota (for Child 1)

Emily Shaffer, Moorhead, Minnesota (guardian ad litem)

Considered and decided by Reyes, Presiding Judge; Larkin, Judge; and Larson,
Judge.

NONPRECEDENTIAL OPINION

REYES, Judge

On appeal from the termination of parental rights (TPR) of appellant-mother, she argues that the district court abused its discretion by determining that (1) the county made reasonable efforts to reunite mother with her children and (2) termination of mother's parental rights is in the children's best interests. We affirm.

FACTS

Appellant-mother C.H.G. and her former husband R.R.G. had three children. One child was born in 2013, and the other two were born in 2016. After the dissolution of their marriage in 2019, the parents shared joint legal custody of the children, and mother had sole physical custody. Respondent Clay County Social Services (the county) filed a TPR petition for both parents in January 2025. Only mother challenged the petition; father consented to a voluntary TPR before trial.

On March 1, 2024, the county filed a child-in-need-of-protection-or-services (CHIPS) petition for the three children. The petition resulted from mother's ongoing use of methamphetamine and fentanyl, "inability to maintain sobriety, decline in mental health, unstable housing, inability to provide food, clothing, and shelter to the children, and allegations of sexual abuse of [the youngest child]." The allegations of sexual abuse were against mother's friend, I.O.Q., a person with whom the family often stayed. The county attempted to work with mother to implement a safety plan, but mother did not cooperate. The children were removed from mother's care the same day that the county filed the CHIPS petition. The county placed the children with a relative with whom they had lived before their stay with mother at I.O.Q.'s home.

Over the course of the CHIPS case, two Child Protection Specialists (caseworkers) worked with the family, but both encountered difficulties working with mother. Both caseworkers testified that mother's communication was inappropriate and threatening at times. And while mother maintained regular contact with the second caseworker, communication from mother decreased in frequency in the weeks before the TPR trial.

The first caseworker worked with mother from March through October 2024. She created a case plan that stated that the county “will need to see that [mother] addresses her mental health, chemical-dependency concerns, housing needs, and employment.” The case plan also required mother to stay in contact with the county, provide updates as requested, and complete random drug tests. A September 2024 update to the case plan required that mother “start a chemical dependency program within one month of the signing or provision of this case plan, whichever comes first.”

The first caseworker testified that her efforts primarily aimed to address mother’s mental health and chemical dependency, but mother often resisted those efforts. She testified that mother made little to no progress on her chemical and mental-health goals during their time together.

The first caseworker testified that mother was already in the process of obtaining housing when the CHIPS case began. Mother moved into supportive housing in North Dakota two months later.¹ The first caseworker did not perform a formal assessment on that home because, generally, the county does not consider trial home visits until the client maintains steady progress on their case plan. Mother did not demonstrate steady progress on her case plan.

¹ Mother’s testimony described this supportive housing as follows: “They have YWCA staff on site. They have security They have services available for the children, and after school they have events on site. They have trainings and programs available to, you know, self-enroll for employment. They have [food resources] right next door. They have a lot of other things, like housing stability, and case plans”

A second caseworker replaced the first caseworker in October 2024. She created a new case plan set to begin in April 2025. She testified that she tried, unsuccessfully, to engage mother in the creation of the case plan. The new case plan, like the previous one, focused on chemical dependency and mental health. It also included goals related to housing, although the second caseworker testified that these goals were not her “primary focus” with mother. The second caseworker also testified that she and mother looked for employment for “a short period of time” and that mother was not eligible for cash-assistance programming in North Dakota. Mother also testified that she was denied cash-assistance programming in North Dakota.

Both caseworkers testified that mother’s supportive housing would likely be suitable for the children if mother made progress on her chemical dependency and mental health. However, after the children were removed from mother’s care, mother became ineligible for a voucher for the three-bedroom apartment in which she lived, and the building had no available one-bedroom units. Mother told the second caseworker about this issue but did not respond to the second caseworker’s offers to assist her in her search for new housing. Mother did not notify the county when she moved out of the supportive housing in March 2025, nor did she tell the county where she went afterward.

Mother did not make significant progress on her mental-health and chemical-dependency goals with the second caseworker. Her use of mental-health services and treatments, like medication, was inconsistent.² She was also inconsistent with chemical-

² With respect to taking her prescribed medications, at least some inconsistency was attributable to issues with insurance coverage.

dependency treatment. For example, mother had been discharged from one program at the end of November after attending unsuccessfully for about one month. Mother also began a program in Minnesota in early January but was discharged after one day because the program did not accept the health insurance provided to mother through the State of North Dakota. The second caseworker went to mother's apartment and, together, they made calls to several treatment facilities in North Dakota. They made a list of available treatment programs, but mother did not participate for more than a few days in any program that they found. Mother also continued to test positive for controlled substances.

The children also have health diagnoses that require ongoing and consistent medical care. All three children are diagnosed with posttraumatic-stress disorder. The oldest child is also diagnosed with generalized anxiety disorder and major depressive disorder. Throughout the CHIPS case, the children made varying degrees of progress with their mental health. The oldest child made significant progress, the middle child had ups and downs, and the youngest child continued to struggle. The guardian ad litem (GAL) testified that the role of the children's caregiver was labor-intensive and that she was "hesitant to say that [mother] would be a stable caregiver" because of mother's lack of progress on her chemical-dependency and mental-health goals. The GAL also testified that, following their placement with their relative after being removed from their mother's care a year prior, the children "made a lot of improvements in school," including attending more consistently.

When the TPR trial began in May 2025, the children were still in the care of the relative. Mother testified at the TPR trial that the relative "co-parented" with her "over the last eight years." In May 2023, mother had signed a delegation of parental authority

(DOPA) to that relative for all three children.³ The children then lived with the relative until the fall of 2023, when they joined mother in staying at I.O.Q.'s home. In its TPR petition, the county stated that it hoped to maintain placement with the relative because they are "a kin placement [with whom] the children report feeling safe and comfortable." The relative is a permanency option for their long-term care and potential adoption.

On June 5, 2025, the district court filed an order involuntarily terminating mother's parental rights. It determined that the state proved four statutory grounds for termination by clear and convincing evidence: (1) mother refused or neglected to comply with her parental duties, (2) mother is palpably unfit to parent, (3) reasonable efforts had failed to correct the conditions leading to the children's placement outside the home, and (4) the children are neglected and in foster care, pursuant to Minnesota Statutes section 260C.301, subdivision 1(b)(2), (3), (4), and (7) (2024). The district court also determined that the state proved, by clear and convincing evidence, that the county made reasonable efforts to reunite the family and that termination of mother's parental rights was in the children's best interests. It explained that mother "has been unable and/or unwilling to complete" mental-health or chemical-dependency treatment, did not demonstrate an ability to obtain sobriety, continued to use controlled substances, and had chemical-dependency and mental-health concerns "of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately" for the children's needs. The district

³ Mother testified that she signed the DOPA in response to a CPS investigation to "protect [her]self and [her] children in case [the county] were to try to take [her] children one day."

court added that the children “have continually resided out of [mother’s] care since March 1, 2024.”

This appeal follows.

DECISION

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 mother’s parental rights is in the best interests of the children.

“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). Termination of parental rights requires the county prove three elements by clear and convincing evidence: (1) at least one statutory ground for TPR; (2) the county made reasonable efforts to reunite the family, or a district court ruled under Minnesota Statutes section 260.012(a) (2024) that those efforts were not required; and (3) termination is in the child’s best interests. *See 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* Minn. Stat. § 260C.301, subd. 1 (2024) (providing statutory grounds for TPR).

We review the district court’s determinations on the second and third TPR elements for an abuse of discretion. *See In re Welfare of Child of T.M.A.*, 11 N.W.3d 346, 355-58 (Minn. App. 2024). “A district court abuses its discretion by making findings of fact that are unsupported by the evidence, misapplying the law, or delivering a decision that is against logic and the facts on record.” *Bender v. Bernhard*, 971 N.W.2d 257, 262 (Minn. 2022) (quotation omitted).

I. The district court properly exercised its discretion by determining that the county made reasonable efforts to reunite the family.

Mother argues that the record does not contain clear and convincing evidence to support the district court’s determination that the agency made reasonable efforts to reunite the family. She specifically asserts that the district court’s reasonable-efforts determination constituted an abuse of discretion “[b]ecause [the county’s] efforts to assist [her] did not include providing her with necessary financial assistance, assistance in locating employment, and assistance by [assessing] her [new] home.” We are not persuaded.

Before a district court may terminate parental rights, it must make “findings and conclusions as to the provision of reasonable efforts” by the county. Minn. Stat. § 260.012(h) (2024). Those findings must include “individualized and explicit findings regarding the nature and extent of efforts made . . . to rehabilitate the parent and reunite the family.” Minn. Stat. § 260C.301, subd. 8(1) (2024). The district court must consider whether the services provided 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). “In determining reasonable efforts to be made with respect to a child and in making those reasonable efforts, the child’s best interests, health, and safety must be of paramount concern.” *Id.* (a).

Employment and Finances

Mother contends that “the agency’s efforts to assist [her] did not include providing her with necessary financial assistance” and “assistance in locating employment.” On this point, the district court found that the county “has made reasonable efforts to provide remedial services.” This constitutes a factual finding, which we review for clear error. *See J.H.*, 968 N.W.2d at 600. “A finding is clearly erroneous if it is manifestly contrary to the weight of the evidence or not reasonably supported by the evidence as a whole.” *In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 87 (Minn. App. 2012) (quotation omitted).

The record here supports the district court’s factual finding. First, mother was denied cash-assistance programming in North Dakota and became eligible for cash-assistance programming only when she returned to Minnesota in March 2025. However, the county did not know that mother returned to Minnesota until the first day of trial in May 2025. The county could not help mother obtain cash-assistance programming if it did not know of the circumstances that potentially changed her eligibility for that programming. Second, contrary to mother’s assertion, the second caseworker testified that she and mother looked for employment together. This court discerns no abuse of discretion by the district court’s determination that the county made reasonable efforts to reunite the family.

Housing

Mother challenges the county's failure to "observ[e] her home the day of trial," a home that I.O.Q. owns and lives in, and the home from which the children were removed over a year before trial. Mother's argument relies on the proposition that the county could have observed her home. The district court found that mother did not notify the county about the home; the county only learned of it on the first day of trial. For this reason, mother's argument concerning housing is unavailing.

II. The district court properly exercised its discretion by determining that termination of mother's parental rights is in the best interests of the children.

Mother argues that the district court's best-interests determination gave "inadequate weight" to (1) "the children's stated preference of maintaining a relationship with their mother" and (2) "mother's interests in maintaining the parent-child relationship."⁴ We disagree.

In TPR proceedings, the district court analyzes a child's best interests by considering: "(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." *J.H.*, 968 N.W.2d at 604 (quotation omitted); *see* Minn. R. Juv. Prot. P. 58.04(c)(2)(ii) (requiring district court to consider factors when addressing whether to involuntarily terminate parental rights). "Competing interests of the child may include a

⁴ Mother also argues that the district court's best-interests determination constitutes an abuse of discretion "because mother's housing at the time of the trial was not assessed for its stability." As stated previously, the county could not assess a home about which it did not know.

stable environment, health considerations, and the child’s preferences.” *Id.* If the interests of the parent and the child conflict, the interests of the child prevail. Minn. Stat. § 260C.301, subd. 7 (2024). “Because a determination of a child’s best interests is generally not susceptible to an appellate court’s global review of a record and involves credibility determinations, the district court must explain its rationale in its findings and conclusions.” *In re Welfare of Child of F.F.N.M.*, 999 N.W.2d 525, 545 (Minn. App. 2023) (quotation omitted), *rev. denied* (Minn. Jan. 5, 2024).

The district court found that “it is clear the children are attached to [mother] and love [her].” Mother also loved her children and showed an interest in maintaining a parent-child relationship with them. However, as the district court stated, “it is well understood that loving a child does not mean that a person is able to adequately parent that child.” *See also In re Welfare of Child. of K.S.F.*, 823 N.W.2d 656, 668 (Minn. App. 2012) (“[A] mother’s love and desire to care for her children does not outweigh her children’s needs for basic care”). The district court’s TPR order reflects this reality.

The district court provided an inexhaustive list of the children’s competing interests: (1) the children have been in the legal custody of the county and in the home of their relative, who is their current foster parent, for over 445 days; (2) the children are receiving needed mental-health services, “it is imperative to their wellbeing that these services continue,” and mother cannot ensure that the children get to their scheduled appointments; (3) “[mother] has not fulfilled the requirements of her case plans and cannot provide the structure and consistency necessary to serve the children’s well-being and emotional development”; (4) mother has completed no chemical-dependency treatment, continues to

use controlled substances, and has shown no “significant period of sobriety over the past couple of years”; (5) mother “has not received consistent mental health treatment” and does not take medication as prescribed; and (6) mother is choosing to live with the person who allegedly sexually abused one of her children, and she has no other long-term housing option. The district court found that the children would not be safe if returned to mother’s care. Mother does not dispute these factual findings.

We conclude that the district court’s analysis of the competing interests of the children is logical and supported by the record, as is its determination that the children’s competing interests outweigh the interests in preserving the parent-child relationship. We conclude that the district court did not abuse its discretion by determining that TPR was in the children’s best interests.

Affirmed.