

*This opinion is nonprecedential except as provided by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
A25-1589**

In the Matter of the Welfare of the Children of:
C. M. D., C. J. M. and T. D. W., Parents.

**Filed April 6, 2026
Affirmed
Wheelock, Judge**

Crow Wing County District Court
File Nos. 18-JV-24-2649, 18-JV-25-787

Jennifer L. Thompson, JLT Law & Mediation, Litchfield, Minnesota (for appellant C.M.D.)

Kelsey Hopps, Crow Wing County Attorney, Marc Hedman, Assistant County Attorney, Brainerd, Minnesota (for respondent Crow Wing County Community Services)

Raymond T. Horton, III, Aitkin, Minnesota (for respondent C.J.M.)

Whitney Haukos, Aitkin, Minnesota (guardian ad litem)

Considered and decided by Smith, Tracy M., Presiding Judge; Wheelock, Judge;
and Smith, John, Judge.*

NONPRECEDENTIAL OPINION

WHEELOCK, Judge

In this appeal from an order terminating appellant mother's parental rights to three children, mother argues the district court abused its discretion. We affirm.

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

FACTS

On July 25, 2024, respondent Crow Wing County Community Services (the county) filed a petition alleging that three children of appellant C.M.D. (mother) were each a child in need of protection or services (CHIPS).

The county filed the CHIPS petition after police were called to mother's residence because mother and her boyfriend, C.J.M., were screaming and engaging in a physical altercation while C.J.M. was holding child 3.¹ Police had responded to the home for domestic disturbances on numerous prior occasions, and the county had received a number of reports concerning the children's exposure to domestic violence between mother and C.J.M. C.J.M. has several criminal convictions related to domestic violence, and mother also has been criminally charged following instances of domestic violence.

About six months earlier, a CHIPS proceeding had been dismissed that involved child 1 and child 2 and alleged domestic violence, chemical use, and mental-health concerns regarding mother. In that case, child 1 and child 2 were placed outside the home for 382 days, after which the district court returned custody of child 1 and child 2 to mother in October 2023. Between the time that case was closed in January 2024 and this case was opened in July 2024, the county received several child-protection intake reports concerning domestic violence between mother and C.J.M. Mother also discontinued most of the services established during the previous case.

¹ C.J.M. is the adjudicated father of child 2 and child 3. C.J.M. consented to the adoption of child 2 and child 3 by a relative. The adoption was accepted by the district court in September 2025. The biological father of child 1 is T.D.W., who consented to a voluntary termination of his parental rights in May 2025.

After the county filed the July 2024 petition, mother signed a case plan that required mother to abstain from substance use, submit to random testing, complete psychological and parenting evaluations as requested, maintain safe and independent housing, maintain a domestic-violence-free home environment, sign releases, complete or continue programming, cooperate with any medical needs and doctors' orders, cooperate with the county and Guardian Ad Litem, maintain employment, demonstrate the ability to care for the children's needs, remain law abiding, and cooperate with her criminal probation. Many of the case-plan requirements mirrored what had already been implemented or completed in the previous CHIPS case.

On March 7, 2025, the county filed a petition to terminate mother's parental rights, and in July and August 2025, the district court held a seven-day trial. On September 11, 2025, the district court filed an 81-page amended order involuntarily terminating mother's parental rights. The district court found that the witness testimony and exhibits supported the concerns with mother's mental health and that the children's risk of exposure to domestic violence had not been adequately resolved.

In its order, the district court observed that, although mother had achieved sobriety in this case, the evidence demonstrated that mother still lacked insight into her needs and how her behaviors impacted her children. It noted that mother continued to struggle with applying the skills she learned in programming and ceasing contact with C.J.M., which mother had admitted was ongoing.

The district court found that the county had made reasonable efforts to reunite mother with the children that were extensive and spanned several years. The efforts

included case planning and engaging mother in voluntary services such as psychiatric care, parenting education and supportive programming, supervised visitation with transportation, domestic-violence programming, and drug testing. The district court determined that the county proved four statutory bases for termination by clear and convincing evidence: neglect of parent-child duties; palpable unfitness; reasonable efforts failed to correct the conditions leading to placement; and the children were neglected and in foster care. *See* Minn. Stat. § 260C.301, subd. 1(b) (2024) (listing statutory bases to involuntarily terminate parental rights). The district court found that child 1 and child 2 had been placed out of the home for 775 days and child 3 had been placed out of the home for 396 days. In analyzing the best-interests factors, the district court found that the children’s safety and need for stability and permanency outweighed mother’s efforts and progress in light of continued issues with her mental health and emotional regulation, continued contact with C.J.M., and domestic-violence concerns.

Mother appeals.

DECISION

Mother submitted one brief—a counseled brief—on appeal. The “Argument” section of the brief consists of four headings that state that the district court erred or abused its discretion by determining (1) that the county made reasonable efforts towards reunification, (2) that a statutory basis for termination was met, (3) that termination of parental rights was in the best interests of the children, and (4) that the district court violated mother’s due-process rights and her right to counsel. Beneath each heading, the brief states the standard of review for the heading and caselaw citations in support of the standard of

review. But the brief contains no argument, no citation to the record, and no legal authority as to the substance of the issues. The brief then concludes with the statement, “The record on file with the district court supports this position and is argument enough to remand this matter for retrial.”²

“An assignment of error based on mere assertion and not supported by any argument or authorities in appellant’s brief is [forfeited] and will not be considered on appeal unless prejudicial error is obvious on mere inspection.” *In re Welfare of Child of J.H.*, 968 N.W.2d 593, 602 n.7 (Minn. App. 2021) (quotation omitted), *rev. denied* (Minn. Dec. 6, 2021).³ “[A]n appellate court need not go into an extended discussion of the

² The brief is also lacking in other aspects. The statement of facts contains 14 numbered paragraphs, and the table of contents refers to pages that have no correlation to the body of the brief and do not appear to exist. The brief is signed by counsel and includes a certificate of compliance affirming that the brief contains 1,736 words.

³ As we recently stated in a nonprecedential opinion:

Generally, to obtain relief on appeal, an appellant must (a) identify a particular ruling of the district court appellant believes is incorrect; (b) explain why—given the relevant standard of review—that ruling is incorrect; (c) identify prejudice to the appellant arising from that allegedly incorrect ruling; and (d) show that the prejudice that arises from the ruling is substantial. *See, e.g., Loth v. Loth*, 35 N.W.2d 542, 546 (Minn. 1949) (stating appellate courts do not assume district court error); *Luthen v. Luthen*, 596 N.W.2d 278, 283 (Minn. App. 1999) (applying *Loth*); Minn. R. Civ. P. 61 (requiring harmless error to be ignored); *Hesse v. Hesse*, 778 N.W.2d 98, 105 (Minn. App. 2009) (noting that appellate courts ignore prejudicial error when prejudice is de minimis). An appellant’s failure to do one or more of these things can render the appellant’s briefing of the question inadequate. And appellate courts need not address inadequately briefed questions. *See State, Dep’t of Lab. & Indus. v. Wintz Parcel*

evidence to prove or demonstrate the correctness of the findings of the trial court.” *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 222 (Minn. 2021) (quotation omitted); *see also Wilson v. Moline*, 47 N.W.2d 865, 870 (Minn. 1951) (stating that the function of an appellate court “does not require [it] to discuss and review in detail the evidence for the purpose of demonstrating that it supports the trial court’s findings”); *Peterka v. Peterka*, 675 N.W.2d 353, 357-58 (Minn. App. 2004) (applying this aspect of *Wilson* in a family-law appeal).

Because of the inadequate briefing submitted to this court, we conclude that each issue has been forfeited. We nonetheless briefly address the alleged errors identified in the headings and conclude that, even if we were to reach the merits of the issues, we would still affirm.⁴

Drivers, Inc., 558 N.W.2d 480, 480 (Minn. 1997) (declining to review question that was not adequately briefed); *Brodsky v. Brodsky*, 733 N.W.2d 471, 479 (Minn. App. 2007) (applying *Wintz* in a family-law appeal).

Riehm v. Riehm, No. A24-1718, 2026 WL 191763, at *2 (Minn. App. Jan. 26, 2026). We cite *Riehm* for its persuasive value as to this point. *See* Minn. R. Civ. App. P. 136.01, subd. 1(c) (“[N]onprecedential opinions may be cited as persuasive authority.”).

⁴ No transcript was ordered. An appellant has the burden to provide an adequate record. *Noltimier v. Noltimier*, 157 N.W.2d 530, 531 (Minn. 1968). When an appellant fails to provide a transcript, this court’s review is limited to whether the district court’s findings support its conclusions of law and whether its conclusions of law support its ultimate decision. *Duluth Herald & News Trib. v. Plymouth Optical Co.*, 176 N.W.2d 552, 555 (Minn. 1970); *see also* Minn. R. Civ. App. P. 110.02, subd. 1 (stating that appellant “shall” provide the transcript of proceedings for appellate review). Alternatively stated: If this court is not provided with a transcript of the relevant trial or evidentiary hearing, this court cannot review the district court’s findings of fact—we assume the district court’s findings are correct and address whether those findings adequately support the district court’s conclusions of law and the decision it ultimately reached. *See, e.g., Fischer v. Simon*,

Mother states that the district court abused its discretion by determining that the county made reasonable efforts to reunify mother with the children. Before terminating parental rights, a district court must find that the county made reasonable efforts to rehabilitate the parent and reunify the family, or that reasonable efforts are not statutorily required, or that the county was otherwise absolved from having to make those efforts. Minn. Stat. § 260C.301, subd. 8 (2024); *see also* Minn. Stat. § 260.012(a), (h) (2024) (identifying when a court may absolve a county from making reunification efforts and listing factors the district court must consider when deciding whether any efforts made are reasonable, respectively). The efforts “must be aimed at alleviating the conditions that gave rise to out-of-home placement, and they must conform to the problems presented.” *In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 88 (Minn. App. 2012).

The county’s efforts were focused on its primary concerns of domestic violence and mother’s mental health. As explained by the district court’s 24 reasonable-efforts findings spanning ten pages, the county’s efforts included child/parent psychotherapy, parenting/psychological evaluations, psychiatric services and individual therapy, medication management, parenting education, domestic-violence programming, and

980 N.W.2d 142, 144 (Minn. 2022) (“When there is an evidentiary hearing, we are not able to review a party’s argument that the other party did not prove its claims if no transcript is ordered.”); *Waters v. Fiebelkorn*, 13 N.W.2d 461, 464-65 (Minn. 1944) (“[O]n appeal error is never presumed. It must be made to appear affirmatively before there can be reversal. . . . [And] the burden of showing error rests upon the one who relies upon it.”); 3 Erica A. Holzer & Katherine S. Barrett Wiik, *Minnesota Practice* § 110.033 (2024 ed. 2024) (stating that, when no transcript is provided on appeal, “the appellate court will accept the district court’s findings as true, and then determine whether the law was properly applied to those findings”).

domestic-violence support groups. These efforts, which were made over multiple years, were aimed at alleviating the conditions that gave rise to the children's out-of-home placement, and they conformed to the problems presented. In determining that the county made reasonable efforts, the district court considered the appropriate factors. *See* Minn. Stat. § 260.012(h); *J.K.T.*, 814 N.W.2d at 88. On our inspection of the district court's thorough order, we conclude that the district court did not abuse its discretion by determining that the county made extensive and reasonable efforts to reunify mother with her children.

Mother next states that the district court abused its discretion by determining that the county proved a statutory basis for termination. The district court determined that the county proved four independent bases for termination. Because “we need only one properly supported statutory ground in order to affirm a termination order,” *J.K.T.*, 814 N.W.2d at 92, we focus our review on a single statutory basis. Parental rights may be terminated if, “following the child's placement out of the home, reasonable efforts, under the direction of the court, have failed to correct the conditions leading to the child's placement.” Minn. Stat. § 260C.301, subd. 1(b)(4). It is presumed that “conditions leading to a child's out-of-home placement have not been corrected upon a showing that the parent or parents have not substantially complied with the court's orders and a reasonable case plan.” *Id.* at subd. 1(b)(4)(iii). “But there is no converse presumption that completion of the case plan amounts to a correction of those conditions.” *J.K.T.*, 814 N.W.2d at 89.

The district court found that mother consistently failed to provide the children with a safe and stable living environment, based on evidence that it found showed a pattern of

domestic violence, exposure to unsafe situations, mother's failure to manage her mental health, and her inability to acknowledge her children's emotions, among other evidence that it found confirmed that the conditions leading to the children's out-of-home placement were not corrected. The district court found that a social worker and mother's providers recommended that mother stop contact with C.J.M and that, despite the continuous cycle of domestic violence, mother continued contact with C.J.M. The district court did not abuse its discretion in determining that the county proved a statutory basis for termination.

Mother also stated that the district court abused its discretion in ruling that termination of mother's parental rights was in the best interests of the children. The best interests of the child is the "paramount consideration" in every termination case. Minn. Stat. § 260C.301, subd. 7 (2024). Even if we had adequate briefing on this issue, "determination of a child's best interests 'is generally not susceptible to an appellate court's global review of a record,' and . . . 'an appellate court's combing through the record to determine best interests is inappropriate because it involves credibility determinations.'" *In re Welfare of Child of D.L.D.*, 771 N.W.2d 538, 546 (Minn. App. 2009) (quoting *In re Termination of Parental Rts. of Tanghe*, 672 N.W.2d 623, 625 (Minn. App. 2003)). At the time of termination, the children were very young—ages four, three, and 18 months—and had spent a substantial amount of time in out-of-home placement. The older children were struggling with diagnoses of a trauma disorder related to their exposure to traumatic events including domestic violence. The children's need for stability and consistency in a home free of domestic violence is well supported by the district court's extensive findings. The

district court did not abuse its discretion in determining that involuntary termination of mother's parental rights was in the best interests of the children.⁵

For the foregoing reasons, we affirm the district court's decision to terminate mother's parental rights.

Affirmed.

⁵ Mother's brief also stated that her due-process rights and her right to counsel were violated. In addition to inadequate briefing, we do not address mother's assertions that her due-process rights were violated because she did not raise this argument in the district court. *In re Welfare of Child of R.V.M.*, 8 N.W.3d 680, 691 (Minn. App. 2024), *rev. denied* (Minn. July 19, 2024) (concluding that appellants forfeited a due-process argument by failing to argue it before the district court). Mother's statement that her right to counsel in the district court was violated is also forfeited for inadequate briefing on appeal. In any event, we note that the record reflects that mother was represented by court-appointed counsel during the entirety of this case.