STATE OF MINNESOTA
IN COURT OF APPEALS
A24-0607

In the Matter of the Welfare of the Child of: J. S., Parent.

Filed October 21, 2024
Affirmed
Smith, Tracy M., Judge

Hennepin County District Court
File No. 27-JV-23-2525

Brooke Beskau Warg, Hennepin County Adult Representation Services, Minneapolis, Minnesota (for appellant mother J.S.)

Mary F. Moriarty, Hennepin County Attorney, Britta Nicholson, Assistant County Attorney, Minneapolis, Minnesota (for respondent Hennepin County Human Services and Public Health Department)

Veronica Jones, Minneapolis, Minnesota (guardian ad litem)

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

NONPRECEDENTIAL OPINION

SMITH, TRACY M., Judge

Challenging from the termination of her parental rights, appellant mother J.S. makes several arguments. First, mother argues that the district court abused its discretion by excluding her from the courtroom during the termination trial and proceeding by default, in violation of procedural rules and her due-process rights. Second, mother argues that the district court's findings regarding reasonable efforts to reunify the family were inadequate

to permit effective appellate review and that the determination of reasonable efforts was an abuse of discretion. Third, mother argues that the district court abused its discretion by determining that a statutory ground for termination of parental rights was satisfied. And fourth, mother argues that the district court abused its discretion by determining that termination of mother's parental rights is in the child's best interests. We affirm.

FACTS

The child at issue in this matter was born to mother in September 2022. On the day the child was born, the Hennepin County Human Services and Public Health Department (the county) received a report alleging that mother had threatened to injure the child. The report raised concerns about mother's "untreated severe mental health," domestic-abuse history, and child-protection history in Mecklenburg County, North Carolina.[1] The reporter stated that mother "fled" North Carolina in August 2022 while pregnant with the child "due to fear of [child protective services] removing her unborn child from her care."

Shortly after the report was made, the county interviewed mother and identified concerns that she might harm the child due to untreated, chronic mental-health issues and a history of domestic violence that she had "not appropriately address[ed]." On October 3,

[1] In addition to the child at issue in this matter, mother has two other children, E.B. and G.E. In 2015, child protective services in Mecklenburg County received allegations of mother's medical neglect of E.B. E.B. was placed with her father in 2016. Mother has had inconsistent contact with E.B. since then. In 2020, Mecklenburg County became involved in a matter concerning G.E. An investigation began upon a report that mother and G.E.'s father engaged in domestic violence in G.E.'s presence. Less than two months later, G.E.'s father strangled mother in front of G.E. Mother set fire to a tent that she was living in with G.E.'s father, and she was charged with arson. G.E. was placed in foster care, and a case plan was ordered for mother. Mecklenburg County terminated mother's parental rights to G.E. in January 2024.

2022, the county filed a petition alleging that the child was a child in need of protection or services (CHIPS). The child was placed in foster care on that day. Thereafter, a contested CHIPS trial was held, and the child was adjudicated CHIPS in February 2023.

The district court adopted and ordered a case plan requiring that mother (1) "complete a parenting assessment and follow the recommendations;" (2) "complete parenting education;" (3) "complete a mental health assessment and follow the recommendations;" (4) "complete domestic violence programming;" (5) "maintain safe and suitable housing;" (6) "participate in supervised visitation" with the child; (7) "sign releases of information;" and (8) "cooperate and remain in contact with the [county]."

Mother completed a parenting assessment; its recommendations included many of the requirements of mother's case plan. Mother underwent a mental-health assessment, which diagnosed her with generalized anxiety disorder and major depressive disorder. Mother attended parenting education classes from November 2022 to November 2023. Her attendance was sporadic for the first several months and became consistent after that time. The classes also addressed domestic violence, as the district court's case plan required. Mother sought and found stable housing, as the county reported that her apartment "appeared clean and safe." Mother remained in contact with the county, but, according to the social worker assigned to mother's child-protection matter, the communications were "negative" because mother was "rude and disrespectful."

Mother also participated in supervised visits with the child. Some visits went smoothly, with mother arriving on time and showing affection toward the child. Other visits involved hostile behavior by mother toward social workers and supervisors, which led to

suspension of services by three supervising agencies "due to behavior." During one visitation, three security personnel were unable to calm mother after she raised her voice, cursed, and used racial slurs toward a social worker and agency staff while holding the child in her arms.

In September 2023, the county filed a petition to terminate mother's parental rights to the child. A trial was held on the petition in January 2024. Mother and the county were both represented by counsel. On the morning of trial, mother arrived more than fifteen minutes late. The trial then began, and mother interrupted the county during its opening statement and then left the courtroom. After a recess, the district court warned mother's counsel: "If there are further disruptions, . . . I will have your client removed from the courtroom." The county completed its opening statement, and, immediately afterward, the district court twice gave mother a similar warning.

The county called mother as its first witness, asking her generally about herself. Mother responded, "[T]elling you about myself is none of your business." Mother refused to respond to questions regarding the child, the reasons for the trial, and, initially, whether she had an open child-protection case. When the county asked mother for her son's name, she responded, "I'm about to go because this is not fair. I am not doing this. I am leaving. It's one-sided, and it's a bunch of B.S. So I am going to leave."

The district court started to explain to mother the consequences of leaving the trial, stating, "This is a civil proceeding . . . . If you leave the trial," when mother interrupted, stating that it was unfair for the county's counsel to ask her questions when counsel had

"told a bunch of lies" about her. The district court replied, "I am going to ask you to leave the courtroom." Mother responded, "I am already leaving the courtroom." Mother then left.

After mother departed, the district court stated that, because the matter was a civil proceeding, the trial would continue in her absence. The county moved to proceed by default. Mother's counsel objected to proceeding by default "in general" and asked that the record remain open to permit mother's counsel to submit a closing argument if the county's motion were granted.

The district court granted the county's motion, pursuant to *In re Welfare of Child of F.F.N.M.*, 999 N.W.2d 525 (Minn. App. 2023), *rev. denied* (Minn. Jan. 5, 2024), explaining:

> The motion for default is granted pursuant to [*F.F.N.M.*], which indicates that if respondent is unable to control him or herself in the courtroom, is disruptive to the proceedings, and will not participate appropriately in the proceeding, they can be excluded from the proceeding. And the matter can proceed by default.

The district court then stated that the county would "be able to continue to offer its case" and that the record would be left open for mother's counsel but that the district court was "not sure what [mother] would offer in the end."

The county called two more witnesses: the social worker assigned to mother's case and the child's guardian ad litem. The district court did not offer mother's counsel the opportunity to cross-examine either witness, and no cross-examination took place.

The social worker testified that there were two issues that mother needed to address before she could be reunited with the child: her mental health and her parenting skills

around domestic violence. The social worker also testified that mother's case plan addressed those issues, that mother was familiar with the plan, and that mother knew she had a limited amount of time to resolve the issues.

The social worker testified about mother's case-plan compliance, stating that mother had not completed a required psychological assessment and had attended therapy only once. The social worker also testified that mother had not graduated from parenting education, and so she was ineligible for in-home visits with the child. The social worker described mother's overall case-plan compliance as the "[m]inimum."

The social worker also testified that, due to the pattern presented by mother's child-protection history in North Carolina, the social worker did not believe mother would be able to complete her case plan if she were given additional time, since she "had the opportunity to make any kind of behavioral change" but had not done so. Finally, the social worker testified that she believed it was in the best interests of the child to terminate mother's parental rights.

The child's guardian ad litem testified that she also believed it was in the child's best interests to terminate mother's parental rights. She stated that her opinion was based on the "severe domestic violence as well as severe mental health issues and concerns" in the child-protection case in North Carolina and that mother had not addressed those concerns in parenting the child.

At the close of the county's case, the district court invited mother's counsel to return with mother before 4:30 p.m. if mother "cho[se] to participate" and "[was] able to participate without interruptions, interjections, [and could] answer the questions properly."

The district court stated that, if mother did not return and provide testimony, "the default will stand." The district court permitted mother to submit voluntary-termination paperwork before 4:30 p.m. The record does not reflect any further testimony by mother or submission of voluntary-termination paperwork. Neither party gave a closing argument.

About one month after the trial, the district court filed an order terminating mother's parental rights to the child based on four statutory grounds. Mother filed a posttrial motion seeking a new trial, amended findings, and relief from the order. The district court denied the motion.

Mother appeals.

DECISION

As outlined above, mother asserts four arguments challenging the order terminating her parental rights to the child. We address each argument in turn.

I. Mother's due-process argument fails because mother has not shown that she suffered prejudice as a result of the district court's decision to proceed by default following any exclusion of mother from the courtroom.

Mother argues that the district court violated procedural rules, depriving her of procedural due process, by excluding her from the courtroom and then proceeding by default. Appellate courts review the question of whether procedural due process has been violated de novo. *In re Welfare of Child. of G.A.H.*, 998 N.W.2d 222, 235 (Minn. 2023).

The United States and Minnesota Constitutions provide that the government may not deprive an individual of life, liberty, or property without due process of law. U.S. Const. amend. XIV, § 1; Minn. Const. art. I, § 7. Parents have a fundamental liberty interest under the U.S. Constitution in the "care, custody, and control" of their children. *Troxel v.*

Granville, 530 U.S. 57, 65-66 (2000); *SooHoo v. Johnson*, 731 N.W.2d 815, 820 (Minn. 2007). Given that liberty interest, parents are entitled to "fundamentally fair procedures" under the Fourteenth Amendment in termination-of-parental-rights proceedings. *See Santosky v. Kramer*, 455 U.S. 745, 753-54 (1982).

"The Minnesota Rules of Juvenile Protection Procedure are intended, in part, to 'ensure due process for all persons involved.'" *G.A.H.*, 998 N.W.2d at 231 (quoting Minn. R. Juv. Prot. P. 1.02(b)). Two rules are at issue here. Rule 38.04 of the Minnesota Rules of Juvenile Protection Procedure, entitled "Exclusion of Parties or Participants from Hearings," provides:

> The court may exclude from any hearing any party or participant, other than a guardian ad litem or counsel for any party or participant, only if it is in the best interests of the child to do so or the person engages in conduct that disrupts the court. The exclusion of any party or participant from a hearing shall be noted on the record and the reason for the exclusion given. The exclusion of any party or participant shall not prevent the court from proceeding with the hearing or issuing a decision.

Rule 18 of the Minnesota Rules of Juvenile Protection Procedure, entitled "Default," provides that, if a parent "fails to appear" at trial after proper service of a summons, the court may either "receive evidence in support of the petition or reschedule the hearing." Minn. R. Juv. Prot. P. 18.01.

Mother asserts a due-process claim based on the district court's interpretation and application of rules 18 and 38.04. She argues that the district court abused its discretion by excluding her from the hearing under rule 38.04. She additionally argues that the district court's decision to then proceed by default under rule 18 and to not allow her counsel to

participate in the proceedings on her behalf was a legal error that denied mother her right to procedural due process.

The county argues that mother was not excluded under rule 38.04 but rather left the courtroom of her own volition.[2] It further argues that, even if the district court did exclude mother from the courtroom, the exclusion was not an abuse of discretion. The county also argues that mother was afforded due process, including because she had notice, representation by court-appointed counsel, and an opportunity to be heard and because the district court's order was based on witness testimony and exhibits. Finally, the county argues that, if the district court's procedures could be deemed erroneous, they would not amount to a due-process violation because mother failed to demonstrate that she suffered any prejudice from the district court's procedures.

We need not resolve the parties' disputes about whether the district court in fact excluded mother from the trial, abused its discretion under rule 38 if it did exclude her, or erred in applying rule 18 and rule 38[3] unless mother has demonstrated that the rule violations that she asserts require reversal. We therefore turn to this question.

---

[2] In its order denying mother's posttrial motion, the district court found that, when the district court told mother to leave the courtroom, mother was already leaving and that mother "voluntarily absented herself from the proceeding and did not return at any point during the day to resume the trial as provided."

[3] Although we do not decide these issues, it is not clear to us that the circumstances would have justified mother's removal. In *F.F.N.M.*, which was cited as support by the district court, we concluded that the appellant mother forfeited her right to participate in the termination-of-parental-rights trial when, as the appellant did not dispute, her disruptive conduct warranted her removal from the trial under rule 38. 999 N.W.2d at 539-540. The appellant's conduct in that case included refusing to go through security screening at the courthouse when she arrived for trial and getting removed from the building for that reason,

An appellant asserting deprivation of due process in a termination-of-parental-rights case based on violation of the rules of juvenile protection procedure is not entitled to reversal unless the party has shown prejudice. *See In re Child of B.J.-M.*, 744 N.W.2d 669, 673 (Minn. 2008) (explaining that prejudice as a result of an alleged due-process violation "is an essential component of the due process analysis"). The prejudice standard applicable to a due-process challenge to a district court's decision to proceed by default requires the claimant to show that the decision prejudiced the "preparation or presentation of their case so as to 'materially affect the outcome of the trial.'" *G.A.H.*, 998 N.W.2d at 238 (quoting *State v. Vance*, 254 N.W.2d 353, 359 (Minn. 1977)). When an appellant argues that they were prejudiced by the inability to present testimony, the appellant must show that the testimony "would have materially affected the findings and conclusions of the district court."[4] *Id.* at 239.

---

reentering the courthouse and bypassing security screening, entering the courtroom where the trial had begun, and screaming in the courtroom. *Id.* at 532-33. In the courtroom, the district court, courtroom deputies, and the appellant's grandmother all tried to get the appellant to calm down and participate in the trial. *Id.* at 533. But the appellant continued screaming. *Id.* The appellant told the deputies that the only way she would leave the courtroom is if they put her in handcuffs. *Id.* The district court finally asked the deputies to remove the appellant. *Id.* Here, mother's disruptive conduct before her departure from the courtroom was substantially different in degree and duration from the appellant's conduct in *F.F.N.M.*

[4] In her briefing, mother asserts that reversal is warranted based only on violation of rule 38.04, but she does not explain why. *Cf. In re Welfare of Child of K.K.*, 964 N.W.2d 915, 925-26, 926 n.10 (Minn. 2021) (analyzing, in a non-due-process case, parents' argument that procedural error in termination-of-parental-rights trial was prejudicial and required reversal). But mother does explain why the asserted due-process violation of proceeding by default under rule 18 after excluding mother from the courtroom under rule 38.04 caused prejudice under the due-process standard and was therefore reversible error.

Here, mother argues that she demonstrated prejudice because she was "unable to fully and fairly contest the allegations against her" due to the nature of the default proceeding, which mother argues precluded her counsel from introducing evidence or cross-examining the county's witnesses. We are not persuaded.

When the county moved to proceed by default, mother's counsel generally objected to the motion. Mother's counsel did not, however, make an offer of proof as to any witness testimony or documentary evidence that would be prejudicially excluded if the district court were to grant the county's motion. Mother's counsel did not describe the remainder of mother's expected testimony. And, while mother had filed a witness list, mother's counsel did not indicate that any of those witnesses, apart from mother, were prepared to testify or what they would say. In addition, mother had not filed an exhibit list and mother's counsel did not identify any exhibits that mother wished to submit. Nor did mother identify evidence that she was precluded from introducing when she moved for a new trial. In addition, although mother argues that she was prejudiced by the inability to cross-examine the county's witnesses, she does not explain what she expected cross-examination would have yielded. In sum, mother neither presented to the district court nor explained to this court how whatever unspecified additional evidence she might have submitted to the district court, or her counsel's greater involvement in the trial, would have changed the outcome of this case. She has therefore failed to demonstrate prejudice.

Because mother argues for reversal under the due-process prejudice standard, that is the standard that we apply.

This conclusion is bolstered by the supreme court's decision in *G.A.H.*, 998 N.W.2d at 238-41. In *G.A.H.*, the appellant argued that she was deprived of due process when, after the appellant failed to appear for the termination-of-parental-rights trial, the district court refused to reschedule the trial to permit cross-examination and testimony. 998 N.W.2d at 237-38. On her motion for a new trial in *G.A.H.*, the appellant presented an affidavit to support her due-process claim. *Id.* at 230. In that affidavit, the appellant outlined the testimony that she would have offered had she been allowed to testify and identified character witnesses who would have testified on her behalf. *Id.* at 240-41. The supreme court determined that, because nothing in her affidavit demonstrated that the appellant had made the changes necessary to avoid termination of her parental rights, the appellant failed to meet her burden to demonstrate prejudice under the due-process standard. *Id.* at 241-42.

Here, mother has neither identified testimonial or other evidence that she was precluded from offering nor explained how the inability to cross-examine the county's witnesses affected the case. Given the extensive evidence in the record related to mother's mental-health challenges, history of domestic violence, minimal case-plan compliance, and child-protection involvement in North Carolina, mother has not established that the district court's rulings had a material effect on the proceedings. Thus, mother has failed to establish that the district court's actions prejudiced her. As a result, her due-process claim fails.

II. The district court's reasonable-efforts findings are sufficient to permit appellate review, and the district court did not abuse its discretion in ruling that the county made reasonable efforts.

Mother argues that the district court's findings with respect to the county's provision of reasonable efforts to reunify the family are insufficient to permit appellate review and

asks us to reverse the district court's order and remand for further findings. Mother also appears to argue that, if the findings are sufficient to permit review, the district court's determination that the county provided reasonable efforts constitutes an abuse of discretion and reversal of the order is required. We address both arguments.

For the district court to terminate parental rights, the county must demonstrate that, unless it was relieved of the obligation, the county made reasonable efforts to reunify the family. *In re Child. of T.A.A.*, 702 N.W.2d 703, 708 (Minn. 2005). Reasonable efforts mean services "beyond mere matters of form so as to include real, genuine assistance." *In re Child. of S.W.*, 727 N.W.2d 144, 150 (Minn. App. 2007) (quotation omitted), *rev. denied* (Minn. Mar. 28, 2007). When determining the reasonableness of a county's efforts, a district court must consider whether services provided 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.

Minn. Stat. § 260.012(h) (2022). While these criteria must always be weighed, the "nature of the services which constitute 'reasonable efforts' depends on the problem presented." *In re Welfare of Child. of T.R.*, 750 N.W.2d 656, 664 (Minn. 2008) (quoting *In re Welfare of S.Z.*, 547 N.W.2d 886, 892 (Minn. 1996)).

Particularized findings are required to facilitate appellate review, ensure that the district court applied the prescribed standards, and assure the parties that the district court fairly considered the issue when deciding an important question. *Cf. Reyes v. Schmidt*, 403 N.W.2d 291, 293 (Minn. App. 1987) (addressing this requirement in a child-custody case). When the district court's reasonable-efforts findings are sufficient for appellate review, we then determine whether the district court abused its discretion in determining that reasonable efforts were made. *See 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).

A. The findings are sufficient to permit appellate review.

Mother argues that the district court's reasonable-efforts findings are insufficient "because they are nothing more than conclusory statements that merely recite the statutory criteria." She contends that the order does not "detail with any specificity what efforts the [county] made, or what specific services it provided," and so "there is no way of knowing" what evidence the district court relied on in its reasonable-efforts determination.

The county responds that, if the district court cites the correct legal standard, makes the findings that the standard requires, reaches its own conclusions (rather than simply summarizes witness testimony), and highlights the evidence that it found persuasive, then it has made findings that are sufficient for appellate review. The county argues that the "rigid mandates" that mother advocates are not required for findings to be adequate for appellate review and that the district court's findings here are sufficient.

The district court's order terminating mother's parental rights contains a section titled "Reasonable Efforts." The findings in that section use language that echoes

Minnesota Statutes section 260.012(h), such as finding 19.1, which states that the county "exercised due diligence to prevent foster care placement and to offer services that were timely, available, relevant and culturally appropriate for the child and family." The terms "relevant," "culturally appropriate," "available," and "timely" also appear in the statutory criteria. *See* Minn. Stat. § 260.012(h).

But simply because the language in the reasonable-efforts findings overlaps with the statutory language does not render those findings inadequate for appellate review. And, while the findings in the section labeled "Reasonable Efforts" are somewhat non-specific, the order elsewhere contains findings that provide more particular bases for the district court's reasonable-efforts determination, including findings regarding the nature of services that the county provided to mother.

For example, the district court found that the testimony of the county social worker assigned to mother's case was "credible, informed, and persuasive." Based on that testimony, the district court found that the social worker was assigned to mother's case in October 2022 and that she created a case plan for mother that was designed to address mother's specific issues, including mother's "mental health state and her child protection history." The district court also found that the county's case plan for mother was "well-suited to address the issues leading to the out-of-home placement" of the child. The district court found that, through the case plan, the county provided mother with diagnostic and therapeutic resources aimed at addressing her mental-health concerns and lack of stability. Other portions of the order identify resources that mother was directed to via her case plan, including parenting education, domestic-violence programming, and supervised visitation.

The district court also found that mother's refusal to participate in a psychological assessment frustrated the county's ability to provide resources. These findings are not merely conclusory and are adequate to permit appellate review.

B. The district court did not abuse its discretion in ruling that reasonable efforts were made.

To the extent that mother argues that the district court's ruling that reasonable efforts were made was an abuse of discretion, we are not persuaded. The findings discussed above demonstrate that the district court considered the statutory criteria provided by Minnesota Statutes section 260.012(h). In addition, the factual findings are supported by the record. The social worker, whose testimony the district court found credible, testified to the county's efforts, and the social worker's case notes, which were submitted as a trial exhibit, reflect the county's provision of services, including housing resources, financial assistance, supervised visitation, and referrals for assessments, education, and therapy. The district court did not abuse its discretion by ruling that the county provided reasonable efforts to reunify the family.

III. The district court did not abuse its discretion by determining that there was at least one statutory ground to terminate mother's parental rights.

Mother next argues that the district court abused its discretion by finding a statutory basis to terminate mother's parental rights. We review a district court's determination that a statutory ground for termination of parental rights exists for an abuse of discretion. *F.F.N.M.*, 999 N.W.2d at 534-35. To terminate parental rights, at least one statutory ground must be supported by clear and convincing evidence. *In re Welfare of Child. of R.W.*, 678 N.W.2d 49, 55 (Minn. 2004).

Here, the district court found four statutory grounds for terminating mother's parental rights: (1) neglect of "the duties imposed upon the parent by the parent and child relationship," *see* Minn. Stat. § 260C.301, subd. 1(b)(2) (2022); (2) failure of reasonable efforts to correct the conditions leading to the child's out-of-home placement, *see* Minn. Stat. § 260C.301, subd. 1(b)(5) (2022); (3) that the child was "neglected and in foster care," *see* Minn. Stat. § 260C.301, subd. 1(b)(8) (2022); and (4) palpable unfitness to be a party to the parent and child relationship, *see* Minn. Stat. § 260C.301, subd. 1(b)(4) (2022).

Mother argues that three of the four statutory grounds on which the district court relied were not satisfied because those grounds "require a finding of reasonable efforts" and, according to mother, the district court's reasonable-efforts determination was based on insufficient factual findings or constituted an abuse of discretion.[5] As explained above, mother's reasonable-efforts arguments fail. As a result, mother's challenge to those three statutory grounds fails by extension. And, because only one statutory basis is needed to support termination, we need not address mother's challenge to the fourth statutory basis. *See In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 92 (Minn. App. 2012) (recognizing that a reviewing court "need[s] only one properly supported statutory ground in order to affirm a termination order").

[5] The three statutory grounds that mother challenges based on her reasonable-efforts arguments are (1) failure to comply with the duties imposed "by the parent and child relationship," (2) failure of reasonable efforts to correct the conditions leading to the child's placement, and (3) that the child was "neglected and in foster care." *See* Minn. Stat. § 260C.301, subd. 1(b)(2), (5), and (8). The fourth statutory ground, to which mother asserts other challenges, is palpable unfitness to parent the child. *See id.*, subd. 1(b)(4).

IV. The district court did not abuse its discretion by determining that termination of parental rights is in the best interests of the child.

Last, mother challenges the district court's best-interests determination. We review a district court's determination that termination of parental rights is in a child's best interests for abuse of discretion. *In re Welfare of Child of A.M.C.*, 920 N.W.2d 648, 657 (Minn. App. 2018).

A child's best interests is "the paramount consideration in every termination [of parental rights] case." *In re Welfare of M.D.O.*, 462 N.W.2d 370, 375 (Minn. 1990); *see also* Minn. Stat. § 260C.301, subd. 7 (2022). The district court must weigh three factors when making the best-interests determination: (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." Minn. R. Juv. Prot. P. 58.04(c)(2)(ii).

The district court determined that "[i]t is in the best interests of the child . . . that parental rights be terminated." The district court made five findings supporting its best-interests determination: (1) mother's inability to care for the child "for the reasonably foreseeable future" for reasons addressed elsewhere in the order (namely, her mental-health concerns and domestic-violence history); (2) mother's difficulty putting the child's "interests first" as demonstrated by consistent disregard of her mental-health challenges; (3) the "competing interests in [the child] having a stable environment and in having parents who can prioritize and meet h[is] needs;" (4) that the child's needs were being met

in his foster placement at the time of the order terminating parental rights; and (5) that mother was "unwilling or unable" to care for the child for the reasonably foreseeable future.

Mother argues that the district court's findings are not supported by clear and convincing evidence in the record. We disagree. The record contains evidence that mother suffered a long history of mental-health challenges, angry outbursts, and domestic-violence issues; that mother continued to demonstrate erratic and aggressive behaviors including during supervised visits with the child; and that mother had not addressed these issues sufficiently to enable her to care for the child for the reasonably foreseeable future. In addition, as the district court's order notes, the amount of time that a child has spent in an out-of-home placement is considered when determining stability for purposes of the child's best interests. *See In re Welfare of M.G.*, 407 N.W.2d 118, 120-21 (Minn. App. 1987). On the day of the trial, the child had been in out-of-home placement for approximately 482 days. In addition, the social worker's and the guardian ad litem's testimonies regarding the child's disposition and development supports the district court's determination that the child's needs were being met in foster care.

Because the district court's best-interests findings are based on the record, the district court did not abuse its discretion by determining that termination of mother's parental rights is in the best interests of the child.

Affirmed.