STATE OF MINNESOTA
IN COURT OF APPEALS
A24-1622

In the Matter of the Welfare of the Child of:
S. M. H. and D. J. B., Parents.

Filed May 12, 2025
Affirmed
Larkin, Judge

Le Sueur County District Court
File No. 40-JV-24-5

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Considered and decided by Larkin, Presiding Judge; Larson, Judge; and Smith, John P., Judge.*

NONPRECEDENTIAL OPINION

LARKIN, Judge

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

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

FACTS

In January 2024, Le Sueur County Department of Human Services (county) petitioned the district court to terminate the parental rights of appellant SMH (mother) and DJB (father) to their child DJB Jr. (child), who was born in November 2022. In June 2024, the district court terminated father's parental rights by default after he failed to appear at his pretrial hearing.[1] In June, July, and August 2024, the district court held a trial regarding termination of mother's parental rights. At the start of trial, the child had been in out-of-home placement for more than 300 days.

The evidence at trial showed that in February 2023, the county received a report that mother's child DEG had bruises from being spanked by father.[2] DEG reported that after being spanked, mother told father that "if you hit [DEG] as hard as you hit me, you will hurt [DEG]." DEG also reported hearing mother and father argue, hearing father punch mother, throw things, and punch the wall, and hearing mother scream for father to stop hitting her. Based on these allegations, the county moved the district court for immediate custody of the child and filed a child in need of protection or services (CHIPS) petition. The district court issued an ex parte order for emergency protective care.

When law enforcement and a child-protection investigator arrived at mother's home to take custody of the child, father was very volatile. He screamed and swore. He threatened the child-protection investigator, stating that he hoped the investigator's

[1] Father has not participated in this appeal.

[2] As a result of the underlying child-protection proceeding, DEG was placed in the care of her father, PG. DEG is not a subject of the underlying termination proceeding. We therefore do not include additional facts regarding DEG.

"children get Lou Gehrig's disease and die." He also threatened law enforcement, telling three deputies to "pull out their service weapon and put it in their mouth and swallow." At trial, the child-protection investigator testified that, during this incident, the child displayed "no emotion whatsoever to anything that was going on." The child's affect was flat, and he did not cry, whimper, or flinch.

In April 2023, the district court adjudicated the child in need of protection or services based on mother's admission that she has a history of dating violent partners and that father's "criminal history aligns with her previous choices to become romantically involved with abusive men." Mother agreed that services were necessary to ensure that the child would not witness additional domestic violence. The district court concluded that it was in the child's best interests for the county to retain care, custody, and control of the child. The district court granted the county authority to place the child in out-of-home placement until mother and father could provide a safe environment and suitable care, "as demonstrated through substantial compliance with the case plans and by correcting the conditions that led to the CHIPS Petition."

Under the case plan, mother was required to:

1. [C]omplete a Parental Capacity Evaluation and follow recommendations[.]
2. [C]omplete a Diagnostic Assessment, follow recommendations and demonstrate stable mental health[.]
3. [S]ubmit to random UA's and if positive, a referral for a chemical dependency evaluation will be made.
4. [M]aintain independent housing in order to support reunification.
5. [A]ttend parenting classes and demonstrate appropriate parenting within six months[.]

6. [A]ttend a support group and programming for survivors of domestic violence and demonstrate skills learned in maintaining safe and appropriate relationships.
7. [M]aintain employment to support herself and her children[.]
8. [E]nsure the people around her children are calm and supportive of positive development.
9. [P]rovide contact information and keep [the county] updated on her address/phone number.

At the termination trial, the child-protection investigator who drafted the case plan testified that she discussed the plan with mother and confirmed that mother understood it. Mother signed the case plan, and the county referred mother for services.

In March 2023, mother completed the parental-capacity evaluation. The evaluator recommended that the child not be returned to mother's care at that time, stating that a "period of consistent participation in services, as well as sobriety, stable mental health, and an increased awareness of her trauma experiences is strongly encouraged prior to fully transitioning the children" to her care. The parental-capacity evaluator also recommended that mother obtain a trauma-informed mental-health therapist.

In May 2023, mother met with a social worker to discuss an updated case plan. The first goal listed in the updated case plan was "safety," and the plan stated that mother's "unsafe partner needs to move from the primary residence and not have access" to mother or the child. The case plan warned that the county would pursue permanent out-of-home placement if mother did not reduce risk of abuse or neglect. The social worker explained the updated case plan to mother, and mother signed it. In June 2023, the district court ordered that mother comply with the updated case plan.

On October 6, 2023, mother met with the parental-capacity evaluator for an updated evaluation. At trial, the evaluator testified that mother seemed to have regressed from the time of the first evaluation, and that although mother was excited to tell him about the case-plan components she had completed, she struggled to identify what she had learned. The evaluator testified that "doing something and getting something out of it are totally different things" and recommended that the child not be returned to mother's care at that time.

In anticipation of a court hearing on October 25, 2023, the county recommended that mother begin a trial home visit with the child. This recommendation was based on mother's perceived compliance with the case plan. When the trial home visit began, mother told the county and others that she had not had contact with father since March or April 2023.

In November 2023, the county learned that father had assaulted an individual at a gas station on October 16, 2023, and that mother was with father when he committed the assault. When the county learned that mother was in contact with father, it recommended that the trial home visit be terminated. When the county informed mother, mother claimed that she was not at the gas station, that she had not seen father, that she had not spoken with father, and that the county had no reason to terminate the trial home visit. Mother continued to deny that she had contact with father until she was confronted with surveillance video. At trial, mother admitted that she had contact with father in October 2023, in violation of her case plan, and a social worker testified that, had the county known about mother's contact with father, it would not have authorized the trial home visit.

When the child returned to his previous foster home after the trial home visit, his behavior had changed. The foster parent testified that before the trial home visit, the child was happy, smiled, said "Hi," waved, and blew kisses. But after the trial home visit, the child had a flat affect, engaged in head-banging behavior, and woke up in the middle of the night crying and needing to be consoled.

In December 2023, the county developed a new case plan for mother, which required mother to do the following: (1) complete an updated diagnostic assessment with a trauma-informed therapist, follow any recommendations, and demonstrate stable mental health; (2) attend parenting-education courses as recommended and demonstrate new skills; (3) ensure the people around her children are calm and supportive of positive development; and (4) engage in alternative domestic-violence education because she continued to have contact with father despite attending support groups and programming for domestic-violence survivors. Finally, the case plan required that mother follow the recommendations of the updated parental-capacity evaluation. A social worker discussed the case plan with mother, and mother indicated she understood it.

In January 2024, the county petitioned the district court to terminate mother's parental rights. At that time, mother was referred to a trauma-informed therapist—approximately ten months after the parental-capacity evaluator had originally recommended trauma-informed therapy. At trial, the county acknowledged that it did not initially refer mother for trauma-informed therapy because the social worker who was handling the case at the time disagreed with the recommendation. The county also acknowledged that the delay in getting mother into appropriate therapy cost mother "some

time and progress under statutory timelines." The guardian ad litem acknowledged that she disagreed with the previous social worker about the appropriateness of therapy and acknowledged that this disagreement "caused confusion in this case and somewhat delayed appropriate services." However, both the social worker and guardian ad litem testified that, despite the delay, they believed it was in the best interests of the child to terminate mother's parental rights.

In April 2024, approximately three months after mother began trauma-informed therapy, father punched the window out of a vehicle while he and mother were in another vehicle at a stoplight. When confronted, mother denied involvement in the incident. But she testified that despite her attendance in trauma-informed therapy, she continued to have contact with father. Mother testified that father had been texting her about the child, but she did not answer. However, when mother was sick and could not find a ride to a pharmacy, she asked father for transportation. The district court found mother's testimony "not believable, not credible, and self-serving."

Based on the child's head-banging behavior, he was referred to a clinical psychologist for a psychological evaluation. At trial, the psychologist testified that the child's behavior was "consistent with an unspecified trauma/stressor disorder" and recommended "that no unsupervised parenting time occur, that the child's caregiving be consistent, predictable, and nurturing, and that he be protected from risky and dangerous adults." The district court credited this testimony.

In September 2024, based on the evidence presented at trial, the district court terminated mother's parental rights to the child. The district court concluded that the

county proved three statutory grounds for termination, found that the county made reasonable reunification efforts, and determined that termination is in the best interests of the child.

Mother appeals, challenging the district court's determinations regarding the statutory grounds for termination, the county's reunification efforts, and the child's best interests.

DECISION

I.

Minnesota courts will terminate parental rights "only for grave and weighty reasons." *In re Welfare of M.D.O.*, 462 N.W.2d 370, 375 (Minn. 1990). The petitioner bears "the burden of producing clear and convincing evidence that . . . [a] statutory termination ground[] exists." *In re Welfare of C.K.*, 426 N.W.2d 842, 847 (Minn. 1988). A district court's decision in a termination proceeding must be based on evidence concerning the conditions that exist at the time of the termination. *In re Welfare of Child of T.D.*, 731 N.W.2d 548, 554 (Minn. App. 2007), *rev. denied* (Minn. July 17, 2007). Termination of a parent's rights is intended for those situations in which it appears "that the present conditions of neglect will continue for a prolonged, indeterminate period." *In re Welfare of Chosa*, 290 N.W.2d 766, 769 (Minn. 1980).

In a termination appeal, an appellate court examines the record to determine whether the district court applied the appropriate statutory criteria. *In re Welfare of D.L.R.D.*, 656 N.W.2d 247, 249 (Minn. App. 2003). We review the underlying findings of fact for clear error, and we review a determination that a statutory ground for termination exists, as well

as the court's ultimate decision to terminate parental rights, for an abuse of discretion. *In re Welfare of Child of J.H.*, 968 N.W.2d 593, 600 (Minn. App. 2021), *rev. denied* (Minn. Dec. 6, 2021). We will affirm a termination order if at least one statutory ground for termination is supported by clear and convincing evidence and termination is in the best interests of the child, so long as the county made reasonable efforts to reunite the family if reasonable efforts were required. *In re Child. of T.A.A.*, 702 N.W.2d 703, 708 (Minn. 2005). Ultimately, the party challenging a termination must show error and prejudice to obtain relief. *See Midway Ctr. Assocs. v. Midway Ctr., Inc.*, 237 N.W.2d 76, 78 (Minn. 1975) (stating that to prevail on appeal, an appellant must show both error and prejudice resulting from the error); *In re Welfare of Child. of J.B.*, 698 N.W.2d 160, 171 (Minn. App. 2005) (applying *Midway* in a termination-of-parental-rights case), *petition for rev. dismissed* (Minn. May 3, 2005).

Minnesota law sets forth multiple statutory grounds for termination of parental rights. *See* Minn. Stat. § 260C.301, subd. 1(b) (2024).[3] The district court relied on three statutory grounds to terminate mother's parental rights. First, the district court relied on Minn. Stat. § 260C.301, subd. 1(b)(2), which provides that a district court may terminate parental rights if "the parent has substantially, continuously, or repeatedly refused or

[3] The legislature renumbered the statutory grounds provided in subdivision 1(b) in 2024. 2024 Minn. Laws ch. 115, art. 18, § 38, at 1742-44. Although mother's parental rights were terminated after the 2024 version took effect, the district court appears to have relied on the 2022 version of the statute. The district court concluded that the county proved three statutory grounds for termination of mother's parental rights under Minn. Stat. § 260C.301, subd. 1(b)(2), (5), and (8). Under the current version of the statute, these grounds are set forth in Minn. Stat. § 260C.301, subd. 1(b)(2), (4), and (7). The substance of the relevant statutory grounds has not changed.

neglected to comply with the duties imposed upon that parent by the parent and child relationship." Such duties include, but are not limited to, "providing the child with necessary food, clothing, shelter, education, and other care and control necessary for the child's physical, mental, or emotional health and development, if the parent is physically and financially able." Minn. Stat. § 260C.301, subd. 1(b)(2). "Failure to satisfy requirements of a court-ordered case plan provides evidence of a parent's noncompliance with the duties and responsibilities under section 260C.301, subdivision 1(b)(2)." *In re Welfare of Child. of K.S.F.*, 823 N.W.2d 656, 666 (Minn. App. 2012).

The district court concluded that mother failed to comply with the duties imposed by the parent-child relationship because she failed to provide "a safe, stable and healthy environment" for the child, as a result of "repeated incidents of domestic violence in the presence of the child," and because she refused to acknowledge the harm she had caused the child "through her own actions, behaviors and decisions." The district court relied on the following testimony, which it expressly credited.

The parental-capacity evaluator testified that mother had regressed in the six months after his first meeting with her, that she struggled to identify anything that she had learned as a result of completing case-plan services, and that he did not know if she had "put in [the] hard work" required.

The clinical psychologist who assessed the child testified that he engaged in head-banging behavior, which is "generally seen as a response to distress," and she recommended that he "receive caregiving that's consistent, predicable and nurturing; . . .

not be exposed to risky and dangerous adults; and . . . not be subjected to any physical discipline."

The child-protection investigator testified that mother "has a pattern of being with violent men[] and choosing these violent men over the health and safety of her children." She also testified that the removal of the child from mother's home "was one of the most eerie removals" she had witnessed because the child was "not responding at all" to father's screaming and threatening behavior. The child-protection investigator also testified that she knew "two aspects of [mother's] case plan are not being followed, given the fact that she still has contact with [father]."

Finally, the social worker testified that the county had "concerns for the child's safety in [mother's] care," and even if father was no longer in mother's life, the social worker would "continue to have concerns regarding [mother's] ability to keep her child safe, given her past history." The social worker testified that she could not recommend reunification unless mother was "honest with [the county] and open about what was actually going on between her and [father], [kept] him out of the home, and [made] it very clear that she was going to not have a relationship with him anymore," which was necessary to keep the child safe.

Mother challenges the district court's determination that the county proved a statutory ground for termination under Minn. Stat. § 260C.301, subd. 1(b)(2). Mother assigns error to the district court's finding that the parental-capacity evaluator "did not know whether she had put in the hard work since his first assessment," arguing that the parental-capacity evaluator's testimony "was based on stale information and given undue

weight by the district court." Mother does not explain why this information was stale, and we do not reweigh evidence on appeal. *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221 (Minn. 2021). Additionally, as the guardian ad litem notes, mother "completely ignores the 71 separate and detailed findings of fact regarding [her] dishonesty, failure to complete a case plan, denial of domestic violence and almost complete lack of insight into how her own behaviors and decisions have negatively impacted her child."

Mother also takes issue with the district court's description of the clinical psychologist's evaluation of the child. She argues that the order "does not specify with whom the interviews were conducted or how much time was spent observing the child." Mother's argument regards the weight assigned to the clinical psychologist's testimony and to the psychological evaluation. We do not reweigh evidence on appeal. *Id.* Mother further argues that it was an abuse of discretion "to accept [the clinical psychologist's] testimony as persuasive given the limits of the information available to her for assessment of the child and the assumptions she necessarily made in her assessment." But we defer to the district court's credibility determinations. *See In re Welfare of L.A.F.*, 554 N.W.2d 393, 396 (Minn. 1996) ("Considerable deference is due to the district court's decision because a district court is in a superior position to assess the credibility of witnesses.").

Finally, mother argues that the testimony of the foster parent was "inherently biased based on her position as the prospective adoptive parent and finding her persuasive is an abuse of discretion." Again, we defer to the district court's credibility determinations. *Id.*

In sum, mother fails to show that the district court erred in concluding that the county proved—by clear and convincing evidence—a statutory basis to terminate parental

rights under Minn. Stat. § 260C.301, subd. 1(b)(2). Because we affirm this statutory ground for termination, we do not address the other statutory grounds on which the district court relied. *T.A.A.*, 702 N.W.2d at 708 (stating that only one statutory ground for termination need be proved).

II.

The district court must make "specific findings" in every termination proceeding that either "reasonable efforts to finalize the permanency plan to reunify the child and the parent were made including individualized and explicit findings regarding the nature and extent of efforts made by the social services agency to rehabilitate the parent and reunite the family" or that "reasonable efforts for reunification [were] not required." Minn. Stat. § 260C.301, subd. 8 (2024).

We review a district court's findings identifying the efforts the county made to reunify a family for clear error. *In re Welfare of Child. of J.C.L.*, 958 N.W.2d 653, 658 (Minn. App. 2021), *rev. denied* (Minn. May 12, 2021); *see In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 87 (Minn. App. 2012) (stating that we review the district court's factual findings for clear error). But we review the district court's determination whether those efforts were reasonable for an abuse of discretion. *See In re Welfare of Child of D.L.D.*, 865 N.W.2d 315, 323 (Minn. App. 2015) (concluding that the district court's "reasonable-efforts finding was not an abuse of discretion"), *rev. denied* (Minn. July 20, 2015).

The district court found 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, to remedy the circumstances requiring the foster care

placement and permit reunification." *See* Minn. Stat. § 260.012(h) (2024) (listing factors that must be considered when assessing reasonable efforts). The district court explained that this finding was supported by "extensive filings for this case, including several detailed case plans tailored to provide [mother] with the resources necessary to provide a safe environment for her children in the home and to correct the conditions that led to the out-of-home placement."

Mother argues that the district court's determination that the county's efforts were reasonable is inconsistent with "the same court's acknowledgment of [the county's] failure to refer [her] to the appropriate, recommended [trauma-informed] therapy." She further argues that the district court failed "to consider its own finding that the [county] was responsible for the [service] delay."

The record refutes mother's argument. The district court noted the social worker's testimony that the lack of enrollment in the appropriate therapy cost mother "some time and progress under statutory timelines" and the guardian ad litem's testimony that a "disagreement caused confusion in this case and somewhat delayed appropriate services." But the district court explicitly addressed the delayed referral and explained why the county's efforts were nonetheless reasonable:

> It is true that there was a delay in getting [mother] into the right type of therapy. However, considering the entirety of the efforts of [the county] throughout this case as well as the totality of the circumstances that led to this point in the case, the court finds that the efforts of the county were reasonable. It is important to note that we do not expect perfection from the county in these matters. The law requires that their efforts to reunify the family are reasonable. In this case, the Court finds that they certainly were.

We discern no reversible error in this analysis.

Mother also challenges the district court's finding that it was not in the child's best interests to delay permanency "in order to provide additional time for [mother] to identify, initiate and engage in further services that may or may not be successfully completed and result in permanent, lasting change in behavior." She asserts that the district court did not "consider its own finding that the [county] was responsible for the delay" in services and that if the county had engaged in reasonable efforts, she would have obtained appropriate, professionally recommended therapy that could have created a permanent and lasting change in her behavior.

The record does not support mother's speculation that she would have made the necessary changes if she had been provided with trauma-informed therapy sooner. Mother was referred for trauma-informed therapy approximately six months before the termination trial. The record indicates that mother did not learn from the services she received. For example, the district court noted that "when pressed, [mother] was unable to provide concrete examples of how her participation in the case plan components could permit her to presently assume the responsibilities of caring for her child should [her child] be returned to her care."

Moreover, the district court found that mother was not honest regarding her compliance with her case plan, noting that mother

> could not explain her dishonesty to [the county], her attorney, the Court, and the Guardian ad Litem regarding her October 2023 and April 2024 contact with [f]ather. Indeed, when confronted about alternative persons, instead of [f]ather, who

> could have assisted her during her illness in April 2024, [mother] testified that [the social worker] was out of town. [The social worker's] rebuttal testimony and text messages received into evidence directly contradicted [m]other's testimony. Mother's testimony was not believable, not credible, and self-serving.

On this record, mother has not shown that the district court erred in its reasonable-efforts determination.

III.

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

In assessing a child's best interests, the district court must balance "(1) the child's interest in preserving the parent-child relationship; (2) the parent's interest in preserving the parent-child relationship; and (3) any competing interest of the child." *In re Welfare of Child of W.L.P.*, 678 N.W.2d 703, 711 (Minn. App. 2004) (quotation omitted); *see* Minn. R. Juv. Prot. P. 58.04(c)(2)(ii) (requiring the district court to address these factors in a termination proceeding). Although the interests of the parent and child must be balanced, they are not "weighed equally." *In re Welfare of Udstuen*, 349 N.W.2d 300, 304 (Minn. App. 1984). Again, the best interests of the child are the paramount concern. Minn. Stat.

§ 260C.301, subd. 7; *In re Child of P.T.*, 657 N.W.2d 577, 583 (Minn. App. 2003), *rev. denied* (Minn. Apr. 15, 2003).

We review the district court's determination that termination is in the child's best interests for an abuse of discretion. *J.H.*, 968 N.W.2d at 600. To be adequate, best-interest findings must facilitate effective appellate review, provide insight into which facts or opinions were most persuasive, and demonstrate comprehensive consideration of the statutory criteria. *See In re Welfare of M.M.*, 452 N.W.2d 236, 239 (Minn. 1990) (discussing the inadequacy of the district court's findings in the context of placement following a termination of parental rights).

In addressing the child's best interests, the district court reasoned:

> Regarding the first factor, there can be a presumption that children, generally, have an interest in preserving the parent-child relationship. The evidence presented to the court is essentially neutral on this factor, as the child is too young to express verbally what, if any, relationship the child has to mother, or desire to maintain and deepen it.

As to mother's interest, the district court found:

> Regarding the second factor, evidence at trial indicated that [mother] has a desire to maintain the parent-child relationship with the child. The testimony of service providers tends to indicate that [mother] acknowledged some, though by no means all, of the documented history and the impact that has had on all of the children, not just the child. It is unclear to the court whether [mother] truly believes that any of her children have experienced extensive trauma through her own behavior, decisions and history. She only reluctantly acknowledged being present with [father] on two separate occasions after first denying contact. Only after independent evidence came to light of her untruthfulness did she admit contact. Each of these occasions resulted in physical violence being perpetrated by [father] against other individuals. This

> dishonesty is only one dynamic in a much larger, more powerful narrative that places the child and [mother] on opposite sides.

Lastly, as to any competing interest of the child, the district court found:

> Regarding the third factor, the concerns raised by the social worker and guardian ad litem and their belief that termination of [mother's] parental rights is in the child's best interests, as well as [mother's] lack of insight and ability to take any real and genuine responsibility for her own behavior and role that led to the child being removed from the home, not once, but twice, is more than sufficient to outweigh either the child's or [mother's] interest in maintaining the parent-child relationship.
>
> The child needs permanency. Timeliness is of the utmost importance in termination of parental rights case[s], because each delay in the termination of a parent's rights equates to a delay in a child's opportunity to have a permanent home.
>
> It is not in the best interests of the child to delay permanency for the child in order to provide additional time for [mother] to identify, initiate and engage in further services that may or may not be successfully completed and result in permanent, lasting change in behavior.
>
> The court must find that at the time of termination, the parent is not presently able and willing to assume his responsibilities and the parent's neglect of these duties will continue for a prolonged, indeterminate period. At this time, [mother] is unable, and seemingly unwilling, to do so. And this court has no faith that she will be willing and able to do so in the foreseeable future.

(Quotations and citations omitted.)

The district court concluded that based on "the evidence as a whole," there was "clear and convincing evidence" that termination of mother's parental rights was in the child's best interests.

Mother challenges the district court's finding regarding the first best-interests factor. She claims that the district court's finding that the child is too young to verbally express a preference regarding the parent-child relationship "highlights the questionable psychological assessment of the child and any findings or recommendations that the trial home visit with mother was responsible for the child's self-injurious behaviors." Mother essentially requests that we reweigh the evidence on appeal, which we may not do. *Kenney*, 963 N.W.2d at 221.

Mother also argues that the district court improperly considered concerns regarding "the child's need to live in a stable environment, health considerations and the child's preferences" as competing interests of the child. But a "stable environment, health considerations and the child's preferences" may be considered when analyzing a child's best-interests. *In re Welfare of R.T.B.*, 492 N.W.2d 1, 4 (Minn. App. 1992). Moreover, although mother claims that the child's "consistent contact" with her "created stability" for the child, when the child was returned to foster care after the trial home visit, the child appeared unsure how to eat, did not seem excited for meals, had a flat affect, engaged in head-banging, was less interested in bath time, and had forgotten how to waive hello and blow kisses.

The standard of review applicable to the district court's determination of a child's best-interests issue is very deferential. *See Vangsness*, 607 N.W.2d at 477 (stating that, in the context of child custody matters, the law "leaves scant if any room for an appellate court to question the [district] court's balancing of best-interests considerations"). Although we recognize that mother is a victim of domestic violence, and we hope that she

receives the help she needs to be safe, statutes and caselaw unambiguously identify our primary concern as the best interests of the child and his need for a safe, stable, and permanent home. On this record, mother has not shown that the district court abused its discretion in determining that the child's best interests supported termination of mother's parental rights.

Affirmed.