

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

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2026 ND 65

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In the Interest of B.P., Child

State of North Dakota,

Petitioner and Appellee

v.

B.P., Child; C.P., Father;

Sharla Price, Guardian ad Litem;

Respondents

and

D.B., Mother;

Respondent and Appellant

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No. 20260028

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Appeal from the Juvenile Court of Burleigh County, South Central Judicial District, the Honorable Tessa M. Vaagen, Judicial Referee.

AFFIRMED.

Per Curiam.

Mary E. Melech, Assistant State's Attorney, Bismarck, ND, for petitioner and appellee; submitted on brief.

Thomas J. Glass, Bismarck, ND, for respondent and appellant; submitted on brief.

**Interest of B.P.**  
**No. 20260028**

**Per Curiam.**

[¶1] D.B. appeals from a juvenile court order terminating her parental rights to B.P. She argues the court’s finding that B.P. is a child in need of protection is clearly erroneous. The juvenile court has authority to terminate parental rights under N.D.C.C. ch. 27-20.3. The Indian Child Welfare Act does not apply to this case. *See* 25 U.S.C. §§ 1901-1963; *see also* N.D.C.C. ch. 27-19.1. We conclude the court’s findings are not clearly erroneous and the court did not abuse its discretion when it terminated D.B.’s parental rights. *See Interest of A.C.*, 2022 ND 123, ¶ 5, 975 N.W.2d 567 (the clearly erroneous standard of review applies to factual findings made in a termination of parental rights proceeding); *see also Interest of A.P.*, 2022 ND 131, ¶ 2, 976 N.W.2d 244 (whether terminating parental rights would promote the child’s welfare is left to the court’s discretion when the required elements are proven by clear and convincing evidence). We summarily affirm under N.D.R.App.P. 35.1(a)(2) and (4).

[¶2] Lisa Fair McEvers, C.J.  
Jerod E. Tufte  
Jon J. Jensen  
Douglas A. Bahr  
Charles B. Neff, Jr., D.J.

[¶3] The Honorable Daniel J. Crothers, a member of the Court when this matter was submitted, was disqualified and did not participate in this decision. The Honorable Charles B. Neff, Jr., District Judge, sitting.