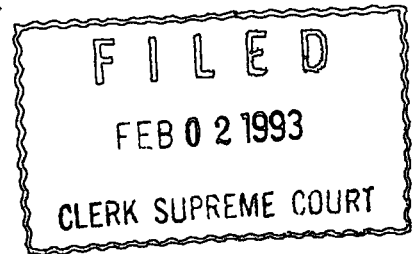


IN THE COURT OF APPEALS OF IOWA

No. 2-646 / 92-1423

IN THE INTEREST OF K.L.C., A Minor Child,
W.H., Father,
Appellant.



Appeal from the Iowa District Court for Des Moines
County, Gary J. Snyder, Judge.

The putative father appeals from the juvenile court
order which terminated his parental rights. **AFFIRMED.**

Robert J. Todd of Robert J. Todd Law Offices,
Burlington, for the father.

Merry C. Ford of Ford Law Offices, Burlington, for the
mother.

Bonnie J. Campbell, Attorney General, John M. Parmeter,
Special Assistant Attorney General, Charles K. Phillips,
Assistant Attorney General, Patrick C. Jackson, County
Attorney, and Matthew Shupe, Assistant County Attorney, for
the appellee State.

Heard by Oxberger, C.J., and Sackett and Habhab, JJ.

OXBERGER, C.J.

K.C. was only fifteen years old when her daughter K.L.C. was born. K.C. was then a subject to a CINA adjudication herself and had been in a series of out-of-home placements. While K.C. was in placement in an out of state facility, she met W.H., the putative father, and became pregnant.

Shortly after K.L.C.'s birth, the court entered an order on November 14, 1990, finding that K.L.C. was a child in need of assistance pursuant to Iowa Code section 232.2(6)(k) because K.C. desired to be relieved of the child's care and custody.

On December 10, 1990, the court modified its order to authorize placement of both K.C. and K.L.C. in a teenage/parent program in Des Moines. Eventually, K.L.C. was returned to family foster care following two reports of physical abuse and K.C.'s running away.

On October 11, 1991, the State filed a petition seeking to terminate the parental rights of both parents. At the hearing W.H. appeared by his court-appointed attorney and gave testimony by telephone. K.C. did not participate. W.H. indicated that he did not have employment, nor did he have placement where he could provide for a child to live except possibly with a relative.

On July 22, 1992, the juvenile court terminated the parental rights of both parents. W.H. appeals.

I. Constitutionality of Statute.

W.H. first contends certain language in Iowa Code section 232.116 (1991) is unconstitutionally vague. He claims the terms "reasonable degree of care in supervising the child," "significant and meaningful contact," and "reasonable efforts to resume care of the child" are not calculated to advise a parent of the standard to which he or she is held accountable and are subject to arbitrary and capricious interpretation by social workers and courts.

Statutes carry a strong presumption of constitutionality. In re M.H., 367 N.W.2d 275, 281 (Iowa App. 1985). The court affords statutes every presumption of validity and will find them unconstitutional only upon a showing of infringement upon constitutional rights and only if every reasonable basis for support is negated. Id. When there is doubt, that doubt will be resolved in a manner to avoid finding the statute unconstitutional. Id.

We find the key terms "reasonable," "significant," and "meaningful" as used in the statute, well within the ordinary meaning and usage. For example, in W.H.'s case, we cannot find he was not apprised by the terms "significant and meaningful contact" to mean he would be required to have contact with his child more often than once within the past six or seven months. We affirm the juvenile court's finding the challenged sections of Iowa Code section 232.116 constitutional.

II. Sufficiency of Evidence.

W.H. next contends the juvenile court erred in finding clear and convincing evidence necessary to support termination. In chief, he claims he was not given the opportunity to resume care of K.L.C.

Appellate review of termination proceedings is de novo. In re W.G., 349 N.W.2d 487, 491 (Iowa 1984) cert. denied sub nom. J.G. v. Tauke, 469 U.S. 1222 (1985). We give weight to the findings of fact of the juvenile court, especially when considering the credibility of witnesses, but we are not bound by those determinations. Id. at 491-92.

The primary concern in termination proceedings is the best interest of the child. Iowa R. App. P. 14(f)(15); In re Dameron, 306 N.W.2d 743, 745 (Iowa 1981).

We look to the child's long-range, as well as immediate, interests. We consider what the future holds for the child if returned to his or her parents. Insight for this determination can be gained from evidence of the parent's past performance, for that performance may be indicative of the quality of the future care the parent is capable of providing. Our statutory termination provisions are preventative as well as remedial. They are designed to prevent probable harm to a child.

In re R.M., 431 N.W.2d 196, 199 (Iowa App. 1988) (citing Dameron, 306 N.W.2d at 745).

W.H., on his own volition, had not seen K.L.C. for at least six months prior to the termination hearing. Prior to that time, his contacts were sporadic and brief.

Evidence at the hearing indicated he had seen K.L.C. for a total of fifteen hours throughout her life. He provided no financial support for her. The social worker assigned to the case testified she met with W.H. and informed him of the actions he needed to take to obtain custody. He failed to follow through on any of those requirements. Accordingly, we affirm the juvenile court's finding clear and convincing evidence necessary to support termination of W.H.'s parental rights.

AFFIRMED.