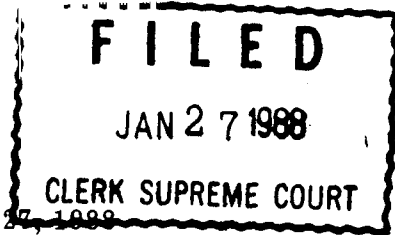


IN THE COURT OF APPEALS OF IOWA

IN THE INTEREST OF P.S. AND R.D.,)
Minor Children;)
L.S. and T.S., Parents,)
Appellants.)

Filed January 27, 1988

7-510
87-450



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Appeal from the Iowa District Court for Linn County (No's. JT 625-0986 and JT 626-0986), Sylvia Lewis, Juvenile Referee.

The parents of two children appeal the juvenile court order terminating their parental rights pursuant to Iowa Code section 232.116(5). **AFFIRMED.**

Karen A. Volz of Ackley, Kopecky & Kingery, Cedar Rapids, for appellants.

Thomas J. Miller, Attorney General; Gordon E. Allen, Deputy Attorney General; Katherine S. Miller-Todd, Assistant Attorney General; and Susan Flaherty, Assistant Linn County Attorney, for appellee.

Considered by Oxberger, C.J., and Donielson and Hayden, JJ. Schlegel, J. takes no part.

OXBERGER, C.J.

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The parents of P.S. and R.D. appeal the juvenile court order terminating their parental rights pursuant to Iowa Code section 232.116(5). They assert (1) there was insufficient evidence the children would suffer harm if returned to their custody, and (2) that they were not allowed sufficient time to improve their parenting skills. We affirm.

Our review of the proceedings to terminate parent-child relationships is de novo. In the Interest of L.P., 370 N.W.2d 839, 840 (Iowa App. 1985); In the Interest of M.H., 367 N.W.2d 275, 278 (Iowa App. 1985). We accord weight to the fact findings of the juvenile court, especially when considering the credibility of the witnesses whom the court heard and observed firsthand, but we are not bound by them. Interest of L.P., 370 N.W.2d at 840; Interest of M.H., 367 N.W.2d at 278. Central to a determination of this nature are the best interests of the child. In Interest of Dameron, 306 N.W.2d 743, 745 (Iowa 1981). The State has the duty to see that every child receives minimally adequate care and treatment and will intercede when parents abdicate their responsibility. Dameron, 306 N.W.2d at 745; Interest of M.H., 367 N.W.2d at 278. The State may revoke the rights of parents if their allegations are proven by clear and convincing evidence. Iowa Code § 232.116(5)(c) (1985); Dameron, 306 N.W.2d at 745.

An important factor that we consider is the past behavior of the parents. Interest of M.H., 367 N.W.2d at 275. We look to the child's long-range and immediate interests and consider what the future could hold for the child if returned to the parent. Id. We may obtain insight for this determination from evidence of the parents' past performance, for that performance may be indicative of the quality of the future care that parent is capable of providing. Dameron, 306 N.W.2d at 745; Interest of M.H., 367 N.W.2d at 278.

The record is clear that these parents have not improved their parenting skills on a consistent basis. Both parents are of limited intelligence and have difficulty in applying the parenting skills they have been taught. In re Wardle, 207 N.W.2d 554, 563 (Iowa 1973) (mental disability a factor). They fail to appreciate the danger the children are exposed to from items such as car batteries, pop cans, and broken glass in places where the children can reach them. They also have problems in budgeting for the family needs. Cleanliness of the home is also a serious problem. The parents have two other children at home and have difficulty in supervising and controlling all four children when they are together. Expert testimony was of the opinion that if these children were returned to the home, additional, intensive supervisory services would be required. The parents are also physically abusive towards each other.

This home environment has had a serious impact on P.S. He experiences stress around visitation which is affecting his growth and development. The parents also failed to follow the case plan in regards to P.S.'s nutritional needs.

The circumstances surrounding R.D.'s return to the home are even more alarming. R.D., a four-year-old girl, was sexually abused by a friend of the parents, "H." R.D.'s stepfather met H. while they were in prison for child molestation. H. lived with R.D.'s family for two months, and during that time was allowed to sleep with R.D. The record is clear that H. sexually abused R.D. Another family friend, "R.," also abused R.D. R.D.'s parents downplay the seriousness of this abuse and do not comprehend the danger some of their friends pose to the children, particularly R.D. It is clear that the father knew H. had sexually abused other children, and yet he still permitted R.D. to be left alone with him. R.D.'s mother, who was physically and sexually abused as a child, denies the abuse of R.D. and does not feel R.D. is at risk. Finally, there is the possibility that R.D. was abused during unsupervised visits. There was evi-

dence that R.D. returned from a visit with a yeast infection. It is clear these parents will be unable to protect R.D. from future possible abuse.

Both children have been seriously affected by their living conditions and family environment. P.S. has been diagnosed as borderline functioning and requires special parental attention. It does not appear these parents are capable of providing that additional care. R.D. has suffered emotional damage from the sexual abuse and is currently undergoing treatment. She is still particularly vulnerable to abuse. We are convinced these children cannot be returned to their parents and hold the evidence was sufficient to support the juvenile court's termination order.

The parents also contend they were not given adequate time to improve their parenting skills. They argue because of their limited abilities, the State should have provided them with services tailored to their specific needs.

These parents were provided with intensive services beginning in March, 1984. They received voluntary assistance beginning in 1979. Throughout 1984, no improvement was made. The Lutheran Social Services' F.A.S.T. team discontinued service because the parents were not making progress. The same incidents, such as severe diaper rash and unsanitary conditions, kept recurring.

Improvement was not shown until January, 1985, when the parents moved to a larger home, and had their fourth child. This improvement led to the return of one of their children. It was also during this time that the evidence of R.D.'s sexual abuse was revealed. In 1986, the homemaker assigned to the case noted that prior problems were beginning to recur. The new infant was often very dirty and suffered from diaper rash. The homemaker also testified that the parents had to be constantly reminded to supervise the children.

We agree with the parents that a predetermined time frame cannot be imposed on all parents. Each case is different and must be handled on an indivi-

dual basis. However, the parents in this case were given assistance for approximately three years. They simply did not progress to the level where they would be able to raise two additional children. The children's lives cannot be suspended indefinitely while they wait for their parents to improve. The best interests of these children demand they be placed in a stable, nurturing home.

The judgment of the district court is affirmed.

AFFIRMED.