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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN THE INTEREST OF B.K.B., B.C.B., and C.E.B. III,
Minor Children,
K.B. and C.E.B. II, Parents,
Appellants.

8-452
88-434

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Appeal from the Iowa District (Juvenile) Court for Scott County (J(T)5472-0787, J(T)5473-0787, & J(T)5474-0787), Arlen J. Van Zee, District Associate Judge.

The parents of three children appeal from the termination of their parental rights. **AFFIRMED.**

Steven A. Berger of Wehr, Berger, Lane & Stevens, Davenport, for appellant parents.

Thomas J. Miller, Attorney General of Iowa, and Kathrine S. Miller-Todd, Assistant Attorney General, for the appellee State.

John R. Aitken of VanderVennet, Motto & Aitken, Davenport, guardian ad litem for the children.

Considered by Schlegel, P.J., and Hayden and Sackett, JJ.

SCHLEGEL, P.J.

K.B. and C.E.B. II, natural parents of B.K.B., B.C.B , and C.E.B. III, appeal the district court's termination of their parental rights. They challenge the sufficiency of the evidence to establish that the children cannot safely be returned to their custody. Upon our de novo review, we affirm the termination order.

B.K.B. and B.C.B. were adjudicated to be children in need of assistance pursuant to Iowa Code section 232.6(e) (1985) on October 8, 1985. C.E.B. III was adjudicated to be a child in need of assistance on January 22, 1986. By the same order dated January 22, 1986, the juvenile court removed all three children from K.B. and C.E.B.'s custody. The children were placed in foster care where they have remained since.

By order dated March 4, 1988, the juvenile court terminated the parental rights of K.B. and C.E.B. II to their children B.K.B., B.C.B., and C.E.B. III. In its termination order, the court relied upon evidence that K.B. and C.E.B. II had repeatedly neglected their children and had failed to exercise reasonable health and medical care for their children. The court also relied upon reports of various agencies and service providers which indicated that the family had failed to comply and follow through with recommended services, including parenting skills, for the children.

On appeal, parents contend that insufficient evidence was introduced into the record to support the trial court's finding that the children could not be safely returned to them. The parents allege no evidence of physical abuse of the children was presented and the evidence at trial centered mostly on the social workers' disagreements with the natural parents on how to discipline their children and the fact that the Child Development Clinic found the children to be of below average intelligence and below average in their overall development. They further contend there was no evidence introduced that tended to show the children would be physically abused, left unsupervised, or denied medical treatment.

Iowa Code section 232.116(5) (1987) permits the juvenile court to terminate the parent-child relationship if a child has been adjudicated in need of assistance, has been placed out of the parent's custody for more than twelve of the last eighteen months, and there is clear and convincing evidence that the child will suffer harm specified in Iowa Code section 232.2(6) (1987) if returned to the parent. See In re K.L.C., 372 N.W.2d 223, 227 (Iowa 1985).

The types of harm specified in section 232.2(6) include the physical abuse or neglect of the child and the harm caused by the parent's failure to exercise reasonable care in supervising the child. Proof of any one of the types of

harm delineated in section 232.2(6) is sufficient to support termination. See In re K.L.C., 372 N.W.2d at 228. The State must prove the allegations of the petition to terminate by clear and convincing evidence. See Santosky v. Kramer, 455 U.S. 745, 770, 102 S. Ct. 1388, 1402, 71 L. Ed. 2d 599, 617 (1982). This includes the requirement that before the court may terminate the parental rights there must be clear and convincing proof that the child will suffer harm in a manner specified in section 232.2(6). See In re Chad, 318 N.W.2d 213, 219 (Iowa 1982).

Upon our review of the record in this case, we find that the evidence is not only sufficient to support termination, it is overwhelming. The parents have a chronic history of neglect and failure to provide adequate care for their children. Five child abuse reports have been substantiated between February of 1981 and August of 1985. Home investigations disclosed the family's home to be unsafe and unsanitary, and it was determined that such conditions were hazardous to the health and welfare of the children. C.E.B. III was hospitalized twice upon emergency orders of the court for failure to thrive. There have been numerous reports from various sources that the children have serious personal hygiene problems, and a report from the Child Development Clinic noted that the parents suffer from similar problems. Although B.K.B. and B.C.B. have been diagnosed as developmentally delayed and have

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difficulties with language skills and uncontrollable behavior, the parents have been unable to adequately provide the educational and emotional services the children desperately need.

The evidence also shows that K.B. suffers from severe emotional problems. Evaluations by the Child Development Center and Dr. Julian Burn show that K.B. suffers from schizotypal personality disorder, paranoid personality disorder, and histrionic personality disorder. K.B. has consistently denied any problems with her children and characterizes all complaints as lies. She has been described as neurotic, manipulative, and overbearing, and fails to accept any responsibility for her children's conditions, blaming everyone but herself.

C.E.B. II also suffers from a mental disability which appears to affect his memory. While C.E.B. II appears to be a more sensitive and caring parent than K.B., he appears to be completely dominated and controlled by his wife and has often supported his wife's allegations that everyone is out to get the children away from them.

The parents have had a long history of poor compliance with various programs designed to improve their parenting skills and to provide for the educational, physical, and emotional needs of their children. Mary Ellen Noren and Chris Judge, social workers with Lutheran Social Services, described the parents' cooperation as being very difficult

to impossible. In their final assessment, both case workers believed the children would be denied critical care if returned to their parents and recommended termination.

We find clear and convincing evidence in the record which supports grounds for termination of parental rights We affirm the juvenile court's termination.

AFFIRMED.