IN THE COURT OF APPEALS OF IOWA

No. 6-283 / 96-0042

FILED
MAY 31 1996
CLERK SUPREME COURT

IN THE INTEREST OF A.B., K.S., J.S., N.S., AND C.S., MINOR CHILDREN,

K.S., Mother,

Appellant.

Appeal from the Iowa District Court for Scott County, John G. Mullen, Juvenile Court Judge.

Mother appeals juvenile court order terminating her parental rights to her five minor children. **AFFIRMED.**

Donna M. Humpal of the M.W. Liebbe Law Office, Davenport, for appellant.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant Attorney General, and Gerda C. Lane, Assistant County Attorney, for appellee State.

Vincent J. Motto of VanderVennet, Motto & Aitken, P.C., Davenport, guardian ad litem for minor children.

Considered by Cady, P.J., and Huitink and Streit, JJ. Vogel, J., takes no part.

STREIT, J.

The appellant mother appeals the termination of her parental rights to her five children.[1] We utilize de novo review in determining if there is clear and convincing evidence to support the termination of parental rights. *See In re S.A.*, 502 N.W.2d 23, 25 (Iowa App. 1993). We affirm.

The mother's parental rights were terminated in December 1995 pursuant to Iowa Code sections 232.116(1)(c), (e), (g) and (h). On appeal she does not challenge that these grounds for termination were met. Instead, she argues only that termination of her parental rights was not in the best interests of the children. A child's rights and needs are paramount in termination proceedings. *In re S.A.*, 502 N.W.2d at 25. The primary concern is the best interests of the children.

> 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) (citations omitted)

The children were adjudicated children in need of assistance in December 1993 due to physical abuse and the unhealthy and unsafe condition of the family home. All of the children have been placed outside their parents' care since early January 1994.

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[1] The parental rights of the children's fathers were also terminated, and they are not parties to this appeal.

While in the care of their parents, some or all of the children endured excessive corporal punishment, sexual abuse, and exposure to a dangerously unclean home environment. When removed from their parents' care, the children were suffering from serious lice and parasite problems.

As a result of their home life with their parents, the children are developmentally delayed and manifest extreme emotional problems including self-abusive acts, violence, night terrors, bed wetting, and sexual acting out. While the parents were initially cooperative with the Iowa Department of Human Services (DHS), their compliance and participation fell off considerably after all of the children had been removed from their care. The mother's participation with DHS services and her visitation with the children were ultimately sporadic and ineffectual in nature. During the course of these proceedings, the mother was arrested and jailed for prostitution. At the time of the termination hearing, the mother was imprisoned and unable to care for the children. The mother was incarcerated for a probation violation, and her date of release was uncertain

In arguing it is not in the best interests of the children to terminate her parental rights, the mother asserts she has a close relationship with her children. The record belies this fact and reveals the children exhibit fear and anxiety in connection with parental visits The emotional problems of the older children were seriously aggravated

by visits with their mother, and the younger children were removed from her care at such a young age there is little or no parent-child bond.

The mother also argues there was no evidence the children would be adopted if her rights were terminated. A finding a child is adoptable is not required before parental rights may be terminated. *See In re T.C.*, 522 N.W.2d 106, 109 (Iowa App. 1994). There was considerable evidence indicating these troubled children require very capable, consistent, nurturing care and structure which their mother is unable to provide. Contrary to the mother's arguments, the children are more likely to obtain some form of permanency if her parental rights are terminated.

We have reviewed the record de novo, and find clear and convincing evidence supported the decision of the juvenile court. The termination of the mother's parental rights is affirmed.

AFFIRMED.