FILED
JAN 26 1989
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN THE INTEREST OF S.G.,
A child

A.G., Natural Mother,

Appellant.

91

8-725
88-1369

Appeal from the Iowa District Court for Wapello (Juvenile) (No. T3-18), Gene W. Glenn, Juvenile Referee, and Robert Bates, Judge.

The mother of a child appeals the juvenile court order terminating her parental rights. **AFFIRMED.**

Michelle Hoyt, Ottumwa, for the appellant mother.

Thomas J. Miller, Attorney General; Valencia Voyd McCown, Assistant Attorney General; and R. Timothy Starken, Assistant County Attorney, for the appellee State.

Michael Vinyard, Ottumwa, guardian ad litem, for the child.

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

SACKETT, J.

The issue this case addresses is whether parental rights should be terminated because a parent suffers a mental illness that impairs her ability to care for her child.

The child, a female, was born in 1981. Her parent's marriage was dissolved not long after the child's birth and custody of the child was given to the mother. The child lived with her mother until September 1985 when she was determined to be a child in need of assistance because of her mother's mental illness and the fact the child suffered three bruises from an alleged spanking given by the mother. The mother received services, cooperated with the department and maintained meaningful visitations with the child.

In August 1987 the child was returned to the mother's home with supervision. In December 1987 the mother was involuntarily committed for mental illness and the child was returned to foster care. There is evidence the responsibility of the child may have contributed to the mother's remission. A petition for termination was filed and the referee's determination to terminate was affirmed by the district court.

The mother appeals the district court order. We review to determine whether there is clear and convincing evidence to support the trial court's decision the child cannot be

returned to her mother. See In Interest of A.C., 415 N.W.2d 609, 612 (Iowa 1987).

The mother suffers a schizoaffective disorder. She has been hospitalized three times for the condition, in 1981, 1982 and in 1984. Her condition tends to fluctuate. She has been very much involved in delusional thinking, an active flight of ideas, psychotic thinking and auditory hallucinations.

The mother's mental condition has fluctuated. When in remission there are periods when she has been able to give the child adequate care. Her illness is not predictable and there is no prediction as to problems or whether the condition will ultimately be corrected.

The child has lived with her mother most of her life. There is evidence of strong bonding and love between mother and daughter. The mother has not been conscious about taking all prescribed medications. A January 1988 discharge summary form determined she did not have the ability to handle custody of the child.

Our de novo review convinces us that during remission the mother is able to function as an adequate parent. However, when suffering from her mental illness she cannot adequately parent the child and the child would suffer harm if returned to her care during these periods. There is no evidence of if and/or when the mother's condition will stabilize. There is strong bonding between the mother and child. The termination will be difficult for the mother.

We are faced with an extremely difficult decision. The mother is unable to parent because of mental illness, a condition over which she has little or no control. The child has suffered as a result of the mother's mental illness and will continue to suffer repercussions from the mental illness if parental rights are not terminated. The father has in essence abandoned the child and the mother does not appear to have other family support to assist her. She has relied heavily on human services and the local mental health center for help.

The child will obviously suffer some problems by terminating the rights of the natural mother that she knows and has strong attachment to. We have no way of measuring the effect to her now and in the future of a total termination of any involvement by her mother in her life. We are uncertain how adoptable the child will be. She is not an infant. She suffers emotional and behavioral problems.

The decision is not easy. The Iowa Supreme Court ordered termination under similar factual circumstances in In Interest of A.C., 415 N.W.2d at 611-14, and while the abuse that led up to the initial removal was much less serious here than in A.C., 415 N.W.2d at 611, the inability to parent in the future primarily because of mental illness is very similar. Following the dictates of A.C., we affirm the termination.

AFFIRMED.