FILED
FEB 22 1990
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

No. 9-632 / 89-1116

IN THE INTEREST OF M.A.L., R.A.L., and R.A.L.,
Children;

T.L., Natural Mother,
Appellant.

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Appeal from the Iowa District Court for Scott County, Arlen J. Van Zee, Judge.

Natural mother appeals from a review order in a child in need of assistance proceeding determining that her three children should remain in the custody of the Iowa Department of Human Services for placement in foster care. **AFFIRMED.**

Gary D. McKenrick of Gomez, May, McKenrick & Kelly, Davenport, for appellant.

Thomas J. Miller, Attorney General, Gordon E. Allen, Deputy Attorney General, and Kathrine S. Miller-Todd, Assistant Attorney General, for appellee State of Iowa.

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

PER CURIAM

Appellant, T.L., appeals from a review order in a child in need of assistance proceeding determining that her three children should remain in the custody of the Iowa Department of Human Services for placement in foster care. We affirm.

Appellate review of juvenile proceedings is de novo. See In re W.G., 349 N.W.2d 487, 491 (Iowa 1984), cert. denied, 469 N.W.2d 1222, 105 S. Ct. 1212, 84 L. Ed. 2d 353 (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. Appellant asserts initially that the trial court erred in placing the burden of proof upon her to show, by a preponderance of the evidence, a change in circumstances since the original adjudication which warrants returning the children to the parents. The Iowa Supreme Court has held that to be the correct allocation of the burden of proof in review cases. See In re Welcher, 243 N.W.2d 841, 844 (Iowa 1976); In re Blackledge, 304 N.W.2d 209, 214-15 (Iowa 1981). The Iowa Supreme Court has further noted that: "If our previous holdings are to be overruled, we should ordinarily prefer to do it ourselves." State v. Eichler, 248 Iowa 1262, 1270, 83 N.W.2d 576, 578 (1957). As such, we decline appellant's invitation to overrule Welcher and Blackledge.

Appellant further argues that the trial court erred in finding that the children could not be returned to appellant. We find appellant's arguments on this issue to be without merit. Appellant clearly failed to demonstrate that she has made any progress in either her parenting skills or in accepting her mental illness. As a result, the juvenile court quite properly ordered the children to remain in continued foster care.

AFFIRMED.