FILED
AUG 27 1986
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN THE INTEREST OF W.O. and A.O., Children;	)	Filed August 27, 1986
R.O.W., Natural Mother,	)	236
Appellant.	)	6-275 86-01

Appeal from the Iowa District Court for Carroll County (J #28385) - Mark S. Cady, Judge.

Natural mother of two children appeals the juvenile court order which adjudicated the children in need of assistance pursuant to Iowa Code section 232.2(5)(d) (1983). **AFFIRMED.**

James R. Van Dyke of Van Dyke & Werden, Carroll, Iowa, for appellant.

Thomas J. Miller, Attorney General of Iowa; Gorden E. Allen, Special Assistant Attorney General; Charles K. Phillips, Assistant Attorney General; and Patrick W. Hall, Assistant Carroll County Attorney; for appellee State of Iowa.

Thomas H. Treinen, Battle Creek, Iowa, for the natural father, M.O.

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

SCHLEGEL, J. 237

The natural mother of two children appeals the juvenile court order which adjudicated the children in need of assistance pursuant to Iowa Code section 232.2(5)(a) (1983).

W.O. and A.O. are the children of R.O.W., the natural mother, and M.O., the natural father. W.O. was born in April, 1980. A.O. was born in April, 1981. In March, 1984, R.O.W. and M.O. were divorced. In May, 1984, a report was filed with the Department of Human Services alleging the children had been sexually abused by R.O.W.'s live-in boyfriend, B.W. The State of Iowa filed a petition to adjudicate the children in need of assistance pursuant to Iowa Code section 232.2(5)(a) (1983). The juvenile court granted the petition and put the children in the custody of the Department of Human Services. On appeal, R.O.W. asserts that there was not sufficient evidence to support the adjudication.

In CHINA proceedings we review the evidence de novo. In Interest of J.R.H., 358 N.W.2d 311, 317 (Iowa 1984). The welfare and best interests of the children are paramount. In re Henderson, 199 N.W.2d 111, 120 (Iowa 1972). Our task is to review the record and determine whether clear and convincing evidence supports a finding of sexual abuse of W.O. and A.O. See Iowa Code § 232.96(2) (1983). In doing so, we conclude that this standard has been satisfied.

The court was presented with considerable evidence that W.O. and A.O. were abused. Child abuse investigators and a psychiatrist testified that the children were abused. The paternal grandmother and the foster mother testified that similar stories were related to them by the children. Child protective investigator Larry Bayless testified there was no doubt in his mind that B.W. had sexually abused A.O. and W.O. Anne Vage-Trullinger, another child abuse investigator, also testified that in her opinion the children were sexually abused.

Dr. Barbara Cavallin, a licensed clinical psychologist, said it was "quite certain" that the children were abused by B.W.

A baby-sitter, a neighbor, and a friend, testified that they had heard or seen nothing of the alleged sexual abuse. R.O.W. and B.W. testified that no sexual abuse had taken place.

We find that this evidence supports the juvenile court's finding of sexual abuse. The expert testimony plus the consistency of the children's story and the detailed nature of the story are very persuasive.

We previously considered allegations of the abuse of these children in our review of the custody provisions of the decree dissolving the marriage of their natural mother and father. See In re Marriage of Olberding, (No. 84-743, slip op., Iowa Ct. App. 1985). There, we stated: "We are confident that if the childrens' well-being is threatened, the proper authorities will take the necessary legal procedures." The juvenile court has found that these are children in need of assistance, by reason of a finding of sexual abuse. We have here affirmed that finding.

The juvenile court seeks a disposition of this matter that will be in the best interests of the children, with an ultimate possibility of the return of the children to their natural mother. To that end, the court has directed the institution of a plan involving foster care of the children and visitation and counselling of the adults involved. Whether the children will be returned to the natural mother depends on the serious participation in the plan by all adult parties and whether or not the current condition in the home can be successfully altered. All parties should participate fully in this plan to the end that further, more drastic action will be unnecessary.

AFFIRMED.