

IN THE COURT OF APPEALS OF IOWA

FILED

JUN 29 1988

CLERK SUPREME COURT

IN THE INTEREST OF R C.,
A Child,

)

)

Filed June 29, 1988

D C , Father,

Appellant

)

8-237
87-1366

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Appeal from the Iowa District Court for Polk County (No. JU 6845-14) -
Vincent M Hanrahan, Judge

Father appeals juvenile court order terminating his parental rights.

AFFIRMED

Kenneth D Benhart, Des Moines, for appellant

Thomas J Miller, Attorney General, Gordon E. Allen, Deputy Attorney
General, and Valencia Voyd McCown, Assistant Attorney General, for appellee.

Heard by Oxberger, C J , and Schlegel and Sackett, JJ

SACKETT, J.

Father appeals from an order terminating his parental rights. We affirm.

The sole issue is whether there is clear and convincing evidence a handicapped child cannot be returned to his father's care. The mother, though married to the father, consented to the termination of her rights at an earlier date. She is not a party to this appeal.

Our review is de novo. In re K.L.C., 372 N.W.2d 223, 227 (Iowa 1985).

The child was born three months premature in June 1984. He was born at home. He has, among other things, arrested hydrocephalus, arrested heart enlargement, and bronchial-pulmonary dysplasia. He is moderately to severely mentally retarded.

He was removed from the family home following a hospital admission at five months of age. When brought to the hospital by his parents he weighed seven pounds, five ounces, and was suffering from hypothermia and chronic ear problems. He had lost three ounces in the prior six weeks.

The father has never assumed primary care responsibilities for this child. He is employed and is away from home a large portion of the time. He contends a large portion of the child's care would be assumed by the child's natural mother, who has already expressed her frustration with caring for the child and has agreed to termination of her rights.

The father does not appreciate the child's special needs, nor does he have the ability to cope with these needs. See In re A.M.S., 419 N.W.2d 723, 734 (Iowa 1987). We affirm the lower court's order terminating the father's parental rights.

AFFIRMED.