IN THE COURT OF APPEALS OF IOWA

No. 1-289 / 91-46

FILED
SEP 24 1991
CLERK SUPREME COURT

IN THE INTEREST OF S.G.,
A Minor Child.

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STATE OF IOWA,

Appellant.

Appeal from the Iowa District Court for Woodbury County, L.M. Goldblatt, Associate Judge.

The State appeals from a district court order vacating the juvenile court's order terminating the mother's parental rights to one of her children. **AFFIRMED.**

Bonnie J. Campbell Attorney General; John Parmeter, Assistant Attorney General; and Judy Sheirbon, Assistant Attorney General, for appellant State.

Meyer Kanter of Forker and Kanter, Sioux City, for appellee natural mother.

Considered by Schlegel, P.J., and Sackett and Habhab, JJ.

PER CURIAM.

The State brings this appeal after the district court vacated the juvenile court's ruling terminating the parental rights of S.S. to her child, S.G. The same district court order affirmed the termination of S.S.'s parental rights to another child, P.G. It also affirmed the termination of the parental rights of the father to both children. The father, M.G., has a long history of violence and was incarcerated at the time of the hearing.

The State contends the district court erred in failing to give notice to the State and the guardian ad litem concerning the review hearing. The State points out pursuant to Iowa Code section 602.7103(3) (1989), district court review of a juvenile order is to be based on the record made before the juvenile court, and may not take additional evidence or personal testimony. Yet, the State argues, the district court took personal testimony from S.S. herself.

Appellate review of termination proceedings is de novo. In re W.G., 349 N.W.2d 487, 491 (Iowa 1984), cert. denied, 469 U.S. 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. The primary concern in termination proceedings is the best interest of the child.

Iowa R. App. P. 14(f)(15); In re Dameron, 306 N.W.2d 743, 745 (Iowa 1981).

Neither party contests the termination of parental rights as to P.G. Nor do the parties contest the termination of the parental rights of M.G. as to both P.G. and S.G. We therefore affirm on these issues.

Our review of the record indicates the district court found all interested parties received notice. Nor do we find evidence in the record the mother actually gave testimony, as the State alleges. Rather, it appears quite likely the associate district judge simply heard a personal statement from the mother. As these matters are reviewed in equity and often somewhat informally, we see no error in the court allowing the mother to speak on such an important topic as the termination of her rights. We affirm the trial court on all issues.

AFFIRMED.