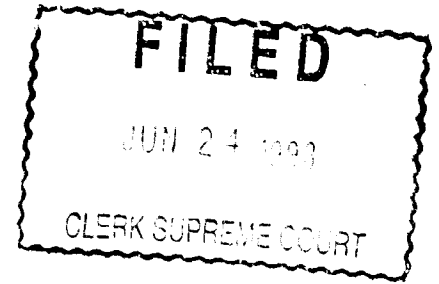


IN THE COURT OF APPEALS OF IOWA

No. 8-306 / 97-1398



IN THE INTEREST OF K.M.D., J.C., and J.C.,
Minor Children,

N.C., Mother,
Appellant.

Appeal from the Iowa District Court for Woodbury County, Mary L. Timko,
Associate Juvenile Judge.

The mother of three minor children appeals a district court order terminating
her parental rights. **AFFIRMED.**

Teresa A. O'Brien of Forker & Kanter, Sioux City, for appellant.

Thomas J. Miller, Attorney General, Charles K. Phillips, Assistant Attorney
General, and Dewey P. Sloan, County Attorney, for appellee State.

Marchelle Roberts and Joseph Kertels, Juvenile Law Center, Sioux City,
guardians ad litem for minor children.

William L. Binkard, South Sioux City, Nebraska, for paternal grandmother and
aunt.

Considered by Cady, C.J., and Vogel and Mahan, JJ.

VOGEL, J.

Naomi is the mother of Kandace, born in December 1990; Jimmy, born in February 1992; and Jasmine, born in January 1994. The children's fathers have not been involved in their lives and are not involved in this appeal.

The children came to the attention of the Department of Human Services (DHS) in September 1995 when Jasmine was sexually abused. Naomi lived in a chaotic home where several people were staying. During an investigation of Jasmine's sexual abuse, Kandace revealed she had also been sexually abused. DHS issued a founded report of denial of critical care against Naomi because she had placed the children in danger by placing them in the care of inappropriate caretakers.

The children were removed from Naomi's care and placed in foster care. The children were adjudicated to be children in need of assistance pursuant to Iowa Code sections 232.2(6)(a), (b), (c), and (d). Naomi removed the other adults from her home. She participated in a family strengthening program, which consisted of individual therapy and parent skill development. She also attended supervised visitation.

Naomi was cooperative with services and made progress. In July 1996, the juvenile court determined the children should be returned to Naomi's care. Naomi was scheduled to leave for National Guard camp, and the court ordered the children be returned to her in August 1996.

Naomi had an unsupervised visit with the children before she left for camp. During this visit Naomi tied up Jimmy and Jasmine because they would not stay in bed. She placed a gag on Jasmine and made a small cut on her ear. Kandace stated Naomi also locked the children out of the house so she could have sex with her boyfriend. The juvenile court then modified its prior order and the children remained in foster care. DHS issued a founded report of denial of critical care and physical abuse.

Naomi resumed supervised visitation with the children. She was inconsistent in disciplining the children. Naomi became frustrated with the children very easily. Naomi's social worker testified she made no progress in improving her parenting skills, and may even have regressed.

In March 1997, the State filed a petition to terminate Naomi's parental rights. The juvenile court found the children could not be returned to Naomi without suffering harmful effects. The court terminated Naomi's parental rights under sections 232.116(1)(c), (d), (e), and (g). Naomi appealed.

The scope of review in termination cases is de novo. *In re S.N.*, 500 N.W.2d 32, 34 (Iowa 1994). The grounds for termination must be proven by clear and convincing evidence. *In re E.K.*, 568 N.W.2d 829, 830 (Iowa App. 1997). Our primary concern is the best interests of the child. *In re A.B.*, 554 N.W.2d 291, 293 (Iowa App. 1996).

Naomi contends the State failed to show it was in the best interests of the children to terminate her parental rights. She states her social worker did not understand her way of life, and did not appreciate the fact she was a working mother.

We find little merit in Naomi's contentions. Naomi placed her children in great danger by allowing people she did not know to reside with her and care for her children. The children were also in danger from Naomi herself because she easily became frustrated with the children's discipline problems. Naomi physically abused the children at her last unsupervised visit, and there was no evidence to show she had improved her parenting skills since that time. We find, as did the juvenile court, the children could not be returned to Naomi's care.

We affirm the decision of the juvenile court which terminated Naomi's parental rights to Kandace, Jimmy, and Jasmine.

AFFIRMED.