ARKANSAS COURT OF APPEALS
NOT DESIGNATED FOR PUBLICATION
JOHN MAUZY PITTMAN, CHIEF JUDGE

DIVISION I

CA06-967

April 25, 2007

JOHN WHITE, JR. AND PATRICIA WHITE
APPELLANTS

V.

ARKANSAS DEPARTMENT OF HEALTH AND HUMAN SERVICES
APPELLEE

APPEAL FROM THE GREENE COUNTY CIRCUIT COURT
[NO. JV2004-065]

HON. CINDY GRACE THYER, JUDGE

AFFIRMED

This is an appeal from an order terminating appellants' parental rights to their three children, M.W., A.W., and J.W. We affirm.

The only issue on appeal is the sufficiency of the evidence. Pursuant to Ark. Code Ann. § 9-27-341(b)(3) (Repl. 2002), the facts warranting termination of parental rights must be proven by clear and convincing evidence. In reviewing the trial court's evaluation of the evidence, we will not reverse unless the trial court clearly erred in finding that the relevant facts were established by clear and convincing evidence. *Anderson v. Douglas*, 310 Ark. 633, 839 S.W.2d 196 (1992). Clear and convincing evidence is the degree of proof that will produce in the fact-finder a firm conviction regarding the allegation sought to be established. *Id.* Furthermore, we will defer to the trial court's evaluation of the credibility of the

witnesses. *Crawford v. Arkansas Department of Human Services*, 330 Ark. 152, 951 S.W.2d 310 (1997).

Viewing the evidence in light of this standard of review, the record reflects that all three of the children are under seven years of age. The children were removed on May 7, 2004, because of domestic violence and unstable housing. Appellants were ordered to complete parenting classes, participate in counseling, submit to random drug screens, complete an affidavit of financial means, and to establish a safe home for the children. Subsequently, issues arose requiring intensive family services; both parties were ordered to attend marriage counseling and Mrs. White was ordered to participate in anger management counseling. Instability, environmental neglect, and cleanliness problems arose with regard to appellants' residence and appellants were ordered to correct these issues. Appellants were uncooperative and did not substantially comply with these orders. After two of the children exhibited detailed sexual knowledge during therapy and stated that they had observed and participated in sexual acts, Mr. White became angry and shouted at M.W., and Mrs. White spanked the children, shouted at them, and told them they were not supposed to tell what went on at home. Ms. Thomas, the family therapist, stated that Mrs. White was defensive and unreceptive and that no progress had been made after almost one year of family therapy. After consistent failures and noncompliance by appellants, the goal was changed to termination. After a hearing, the trial judge terminated appellants' parental rights in a thorough and detailed order consisting of forty-four detailed findings of fact coupled with a point-by-point legal analysis stating the grounds for termination.

The record clearly shows that the children were abused and neglected, that the Department offered meaningful and appropriate assistance in an attempt to effect reunification of the family, and that the parents were defiant, hostile, and noncompliant for a period in excess of one year. On this record, we cannot say that the trial court clearly erred in finding that termination of parental rights was warranted.

Affirmed.

HART and BIRD, JJ., agree.