



recommendations, and without specifically finding that the parents cannot protect the child from serious harm.

We conclude that the court's decision to continue DCF custody was amply supported. D.M. was removed from parents' care because of concerns about their ability to safely and adequately meet D.M.'s needs. Parents stipulated that D.M. was CHINS because they did not have the ability to safely and adequately meet the infant's physical and emotional needs, and D.M. would be at risk of harm if left in parents' care. While father claims that that stipulation does not speak to parents' current ability, the court's findings, unchallenged on appeal, show that parents had not made improvements since that time. Several services were recommended for parents, including those aimed at improving parents' parenting skills. Identified problem areas included safe parenting, soothing and attachment. Other services included recommendations for individual counseling for father to address anger-management, substance-abuse and mental-health issues, and for father to complete a psychosexual assessment. In addition, couples counseling was recommended to address the parents' bickering and inability to communicate. Parents failed to make progress on these goals. There remained concerns about the safety and cleanliness of the home, and about the parents' parenting ability. The parents' involvement in counseling was sporadic, and father had not followed through on recommendations for a substance-abuse evaluation. Further, there remained concerns over father's anger management, and the parties' bickering, and its impact on the child. In sum, parents had not addressed the causes D.M.'s removal from their custody.

Thus, the court's decision was in keeping with the statutory goals. As father points out, one purpose of the juvenile-protection statute is to "preserve the family and to separate a child from his or her parents only when necessary to protect the child from serious harm or in the interests of public safety." 33 V.S.A. § 5101(a)(3). The court complied with this goal by continuing DCF custody since the causes behind their inability to safely parent had not been addressed.

On a final note, contrary to father's assertion, there is no indication in the court's decision that it continued DCF custody merely as an incentive to the parents to engage in services. The decision was properly based on the court's assessment of the child's best interests insofar as these services were necessary for parents to safely and adequately parent D.M.

Affirmed.

BY THE COURT:

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Paul L. Reiber, Chief Justice

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John A. Dooley, Associate Justice

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Beth Robinson, Associate Justice