

NO. 24376

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

IN THE INTEREST OF JOHN DOE, Born on July 20, 1999.
(FC-S NO. 99-06088)

IN THE INTEREST OF DOE CHILDREN

JANE DOE, Born on November 6, 1996;
JOHN DOE, Born on June 19, 1998.
(FC-S NO. 99-06111)

APPEAL FROM THE FAMILY COURT OF THE FIRST COURT
(FC-S NOS. 99-06088 and 99-06111)

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Defendant-appellant Mother appeals from the orders of the family court of the first circuit, the Honorable Paul Murakami presiding, awarding permanent custody and establishing a permanent plan. On appeal, Mother argues that the family court's findings of facts and conclusions of law that Mother was not willing and able to provide a safe home were clearly erroneous.

Upon careful review of the record and the briefs submitted by the parties and having given due consideration to the arguments¹ made and the issues raised by the parties, we hold that the record contains substantial evidence to support the family court's award of permanent custody and establishment of a permanent plan because Mother's long history of drug use and lack of parenting skills supported the family court's conclusion that

¹ Oral argument on the merits was heard on July 3, 2002.

Mother was not willing and able to provide a safe home.

Therefore,

IT IS HEREBY ORDERED that the family court's orders awarding permanent custody and establishing a permanent plan are affirmed.

DATED: Honolulu, Hawai'i, July 25, 2002.

Joseph A. Dubiel
for defendant-appellant

Adina L.K. Cunningham, Deputy
Attorney General, for
plaintiff-appellee

Dean T. Nagamine,
Guardian Ad Litem