

NO. 23290

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

IN THE INTEREST OF DOE CHILDREN: JOHN DOE, Born on
October 9, 1991; JOHN DOE, Born on November 14, 1992;
and JOHN DOE, Born on March 31, 1995, Minors

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-S No. 96-04282)

SECOND ORDER AMENDING SUMMARY DISPOSITION ORDER
(By: Burns, C.J., Watanabe, and Foley, JJ.)

The summary disposition order, filed on April 2, 2001
and amended on April 5, 2001, is further amended to add the
following phrase as the fourth bulleted item near the top of
page 2:

- the January 4, 2000 Order Awarding Permanent Custody re
Children; and

To achieve this amendment, page 2 of the original summary
disposition order, as previously amended, is hereby deleted. In
its place, page 2, attached to this order, shall be substituted.

The Clerk of the Court is directed to incorporate the
foregoing change in the original summary disposition order, as
previously amended.

DATED: Honolulu, Hawai'i, June 22, 2001.

Chief Judge

Associate Judge

Associate Judge

divested and that DHS be awarded permanent custody of Children;

- the January 4, 2000 Order Awarding Permanent Custody re Children; and
- the January 4, 2000 Letters of Permanent Custody that, among other things, appointed the Director of DHS permanent custodian of Children.

We affirm.

A.

Father contends in his opening brief that the family court "erred in granting DHS's Motion for Order Awarding Permanent Custody and Establishing a Permanent Plan because DHS did not prove by clear and convincing evidence that either parent could not provide a safe home for [Children]." Father objects to eighty-two (82) of the family court's findings of fact and three (3) of the family court's conclusions of law. He points out that he and Mother have terminated their relationship and have both been sober for months. Therefore, he contends, reunification with Children "is within reach, far closer than it had ever been in the past."

Based on our review of the record, however, we conclude that there is substantial evidence to support the family court's findings and conclusions, at least as to Father.

B.

Father's second complaint is that although an August 19, 1999 DHS report noted that "[t]his case is headed toward reunification with [Mother because s]he continues to demonstrate good commitment to the welfare of [Children] and is