

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DONQUAL LAMAR JOHNSON
and CARLA LOCKHART, Minors

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DENISE JOHNSON,

Respondent-Appellant,

and

TOMMY JOHNSON and CARL LOCKHART,

Respondents.

UNPUBLISHED

February 10, 1998

No. 200631

Berrien Juvenile Court

LC No. 96-000032-NA

Before: Gage, P.J., and Murphy and Reilly, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(g) and (j); MSA 27.3178(598.19b) (3)(g) and (j). We affirm.

The juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, respondent-appellant failed to show that termination of her parental rights was clearly not in the children's best interests. *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the juvenile court did not err in terminating respondent-appellant's parental rights to the children. MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

The record in this case is tragically filled with repeated efforts and failures on the part of respondent-appellant to overcome her addiction. The only serious effort at completing a treatment program occurred in February 1996, and it occurred then only in response to petitioner's filing of a termination petition. While the counselors noted respondent-appellant's progress toward recovery, they could not prevent the relapse which followed soon after the completion of treatment. On this record, we find that the juvenile court did not clearly err in its decision. *In re Hall-Smith, supra*.

Affirmed.

/s/ Hilda R. Gage

/s/ William B. Murphy

/s/ Maureen Pulte Reilly