

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of AMANDA DUIGNAN, EUGENE
HALSEY, CORBIN HALSEY, MEGAN HALSEY,
and NICHOLAS HALSEY, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BARBARA HALSEY WARD,

Respondent-Appellant,

and

KEVIN DUIGNAN,

Respondent.

UNPUBLISHED

September 11, 1998

No. 206703

Jackson Juvenile Court

LC No. 97-019286

Before: Holbrook, Jr., P.J., and Wahls and Cavanagh, JJ.

MEMORANDUM.

Respondent mother appeals as of right from a 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.

After reviewing the record, we conclude that the juvenile court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Hamlet (After Remand)*, 225 Mich App 505, 515; 571 NW2d 750 (1997). We also reject respondent's contention that the juvenile court improperly shifted the burden of proof from petitioner to respondent to show that termination is not in the best interests of the children. The court's finding merely indicates that respondent failed to put forth evidence

from which the court could conclude that the presumption in favor of termination had been overcome, and that termination is not clearly in the best interests of the

children. MCL 712A.19b(5); MSA 27.3179(598.19b)(5); *In re Hamlet (After Remand)*, *supra* at 505; *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). We conclude that this finding is supported by the record. Accordingly, termination of respondent-appellant's parental rights was proper. *In re Hall-Smith*, *supra* at 473.

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Myron H. Wahls

/s/ Mark J. Cavanagh