

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of DERRICK D. NEAL, MARTEZ  
NEAL and LATISHA S. NEWSON, Minors.<sup>1</sup>

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KIM NEWSON,

Respondent-Appellant.

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UNPUBLISHED

September 25, 1998

No. 201839

Wayne Juvenile Court

LC No. 89-279996

Before: Whitbeck, P.J., and McDonald and T. G. Hicks\*, JJ.

MEMORANDUM.

Respondent appeals as of right a juvenile court order terminating her parental rights to the minor child, Derrick D. Neal, pursuant to MCL 712A.19b(3)(c)(i), (g), and (j); MSA 27.3178(598.19b)(3)(c)(i), (g), and (j). We affirm.

In order to terminate parental rights, the court must find that at least one of the statutory grounds for termination has been met by clear and convincing evidence. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). Once a statutory ground for termination has been met by clear and convincing evidence, the court shall order termination of parental rights, unless the court finds that termination of parental rights is clearly not in the best interests of the child. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). We review the trial court's decision regarding termination in its entirety for clear error. *Id.* at 472.

Our review of the record discloses that the juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re McIntyre*, *supra*. Rather, the findings were well supported by the evidence of respondent's use of crack cocaine, failure to seriously pursue drug treatment, sporadic visitation record and other matters. While there are

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\* Circuit judge, sitting on the Court of Appeals by assignment.

indications in the record that respondent may have subsequently made progress, that does not mean the findings were clearly erroneous when made. Further, respondent failed to show that termination of her parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith, supra*. Thus, the juvenile court did not err in terminating respondent's parental rights.

Affirmed.

/s/ William C. Whitbeck

/s/ Gary R. McDonald

/s/ Timothy G. Hicks

<sup>1</sup> Respondent's parental rights were terminated only as to Derrick D. Neal. The juvenile court dismissed Martez Neal and Latisha S. Newson from the termination petition in anticipation of placement with their father.