

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JANESEA CASTILLO and KEISHA
CASTILLO, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANGELA CASTILLO and ERASMO CASTILLO,

Respondents-Appellants.

UNPUBLISHED

September 25, 1998

Nos. 207345; 207349

St. Clair Juvenile Court

LC No. 91-000299

Before: Hood, P.J., and Griffin and O'Connell, JJ.

MEMORANDUM.

Respondents appeal as of right from the juvenile court order terminating their parental rights to the minor children under MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i).¹ We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The juvenile court reached its decision upon consideration of the records of the entire case at the dispositional hearing. Once a court determines, upon clear and convincing evidence, the existence of one or more statutory grounds for termination, the court "shall order termination of parental rights . . . unless the court finds that termination is clearly not in the child's best interests." MCL 712A.19(b)(5); MSA 27.3178(598.19b)(5); see also MCR 5.974(F)(3). We conclude that the juvenile court did not clearly err in finding that the statutory ground for termination was established. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

Because the juvenile court concluded that the statutory basis for termination of respondents' parental rights was satisfied, respondents bore the burden of going forward with evidence that termination is clearly not in the children's best interests. *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Here, because respondents offered no evidence that termination was

clearly not in their children's best interests, the juvenile court properly terminated respondents' parental rights.

Affirmed.

/s/ Harold Hood

/s/ Richard Allen Griffin

/s/ Peter D. O'Connell

¹ The record indicates that the juvenile court expressly found that termination was not justified under § 19b(3)(b)(i), and did not address whether termination was justified under § 19b(3)(j). Therefore, we will not address those statutory grounds.