

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BRITTANIE LOW and
MIKALA LOW, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BRENDA SEARLES,

Respondent-Appellant,

and

MICHAEL LOW,

Respondent.

UNPUBLISHED

February 5, 1999

No. 212140

Clinton Juvenile Court

LC No. 96-004739 NA

Before: Gribbs, P.J., and Saad and P.H. Chamberlain*, JJ.

MEMORANDUM.

Respondent-appellant appeals by delayed leave granted from an order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(g) and (j); MSA 27.3178(598.19b)(3)(g) and (j). We affirm.

The juvenile court's exercise of jurisdiction can be challenged only on direct appeal, not by collateral attack. *In re Hatcher*, 443 Mich 426, 439; 505 NW2d 834 (1993); *In re Powers*, 208 Mich App 582, 587-588; 528 NW2d 799 (1995). Therefore, this issue is not properly before this Court. *Id.* In any event, the allegations contained in the petition were established by a preponderance of the evidence and were sufficient to support the assumption of jurisdiction over the minor children.

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

MCL 712A.2(b); MSA 27.3178(598.2)(b); *In re Systma*, 197 Mich App 453, 454-455; 495 NW2d 804 (1992); *In re Toler*, 193 Mich App 474, 476; 484 NW2d 672 (1992).

Next, the juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCL 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Hall-Smith*, 222 Mich App 470; 564 NW2d 156 (1997). Further, respondent-appellant failed to show that termination of her parental rights was clearly not in the children'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-appellant's parental rights to the children. *Id.*

Affirmed.

/s/ Roman S. Gibbs
/s/ Henry William Saad
/s/ Paul H. Chamberlain