

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of ERIK GARSIDE and  
JACQUELYN GARSIDE, Minors.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

UNPUBLISHED  
February 9, 1999

v

HUGH GARSIDE and TERRI GARSIDE,  
  
Respondents-Appellants.

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Nos. 211197; 211267  
Lapeer Juvenile Court  
LC No. 96-007210 NA

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

MEMORANDUM.

In these consolidated appeals, respondents Hugh Garside and Terri Garside appeal as of right from the juvenile court order terminating their parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The juvenile court did not clearly err in finding that the statutory ground for termination was 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).

Moreover, once a statutory ground for termination is shown to exist, termination of parental rights is mandatory unless the court finds that termination is clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5). The burden is on the respondent to put forth evidence showing that termination of their parental rights is clearly not in the child's best interests. *In re Hall-Smith*, *supra*. In this case, respondents failed to put forth any evidence from which the juvenile court could conclude that termination of their parental rights was clearly not in

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

the children's best interests. Hence, the juvenile court did not err in terminating respondents' parental rights to the children. *Id.*

Affirmed.

/s/ Roman S. Gibbs

/s/ Henry William Saad

/s/ Paul H. Chamberlain