

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KASHA TAYLOR, a Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

IAN TAYLOR,

Respondent-Appellant.

UNPUBLISHED

November 19, 1999

No. 216467

Mason Circuit Court

Family Division

LC No. 97-000087-NA

Before: Whitbeck, P.J., and Gribbs and White, JJ.

MEMORANDUM.

Respondent appeals as of right from the family court ordering terminating his parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (c)(i) and (d); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i) and (d). We affirm.

Although the family court did not adequately articulate its findings in support of termination under §§ 19b(3)(a)(ii) and (d), we need not remand for elucidation on these points because we are satisfied that the court properly reached its decision under § 19b(3)(c)(i). If the court finds by clear and convincing evidence that at least *one* statutory ground for termination of parental rights exists, then the court *must* terminate unless termination is clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

The family court did not clearly err in finding that § 19b(3)(c)(i) was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Hall-Smith*, *supra* at 472-473. The trial court's conclusion that the condition leading to adjudication continued to exist and was not reasonably likely to be rectified within a reasonable time considering the child's age is supported by the evidence that respondent had sexually abused the minor child for a period of years, that the child continues to suffer emotional damage as a result, and that the child

adamantly opposes reunification, together with expert testimony that reconciliation and reunification is nearly impossible in cases of sexual abuse. This evidence additionally supports the court's decision to terminate respondent's parental rights without insisting that petitioner expend additional efforts towards the goal of reunification.¹

Further, the record does not indicate that termination of respondent's 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* at 472-473. For these reasons, the family court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ William C. Whitbeck

/s/ Roman S. Gribbs

/s/ Helene N. White

¹ Where a court has taken temporary jurisdiction over a child, reasonable efforts must be made to reunite the child with its natural parent or parents unless doing so would cause a substantial risk of harm to the child's physical or mental well being. *Tallman v Milton*, 192 Mich App 606, 614-615; 482 NW2d 187 (1992), citing MCL 712A.19a(4); MSA 27.3178(598.19a)(4).