

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MAGAN LYNN KEELEY,
DANGELO EARL HAYES, and DANGELA STAR
HAYES, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANGEL STAR KEELEY,

Respondent-Appellant,

and

EARL LEE HAYES and RIGOBERTO
BARTHEMEY,

Respondents.

UNPUBLISHED

September 19, 2000

No. 223810

Wayne Circuit Court

Juvenile Division

LC No. 98-363414

Before: Gribbs, P.J., and Neff and O’Connell, JJ.

MEMORANDUM.

Respondent mother appeals from an order terminating her parental rights to her minor children pursuant to MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i). We affirm.

In a termination of parental rights case, a trial court must determine whether a statutory ground for termination exists based on clear and convincing evidence. If so, than MCL 712A.19b(5); MSA 27.3178(598.19b)(5) mandates that the trial court terminate the parent’s rights unless “there exists clear evidence, on the whole record, that termination is not in the child’s best interests.” *In re Trejo*, __ Mich __; __ NW2d __ (Docket No. 112528, issued 7/5/2000), slip op at 14. In this case, respondent argues that the lower court record lacked clear and convincing evidence to support the order

terminating her parental rights. We review for clear error the trial court's finding that petitioner proved a statutory grounds for termination with clear and convincing evidence. MCR 5.974(I)

We have carefully reviewed the record on appeal, the lower court's opinion, and the parties' briefs. In our view, the trial court did not clearly err in finding that the conditions that led to the adjudication were still present, and that no reasonable likelihood existed that the conditions would change. Respondent conceded that her house was unfit for the children and that she needed help. Despite petitioner's efforts to assist her, including an offer to pay her security deposit and her first month's rent, respondent failed to find suitable housing. Respondent's incarceration further exacerbated the problem. Moreover, respondent failed to comply with the requirements of the parent-agency agreement. Although respondent did attend and complete her parenting classes, the testimony before the trial court established that she did not improve her parenting skills or her ability to control her children.

Affirmed.

/s/ Roman S. Gibbs

/s/ Janet T. Neff

/s/ Peter D. O'Connell