

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of R.W.C., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

RUSSELL WILLIAM COOP,

Respondent-Appellant,

and

CAROL LEE COOP,

Respondent.

In the Matter of R.W.C., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CAROL LEE COOP,

Respondent-Appellant,

and

RUSSELL WILLIAM COOP,

Respondent.

UNPUBLISHED
February 23, 2001

No. 226153
Wayne Circuit Court
Family Division
LC No. 97-362225

No. 226288
Wayne Circuit Court
Family Division
LC No. 97-362225

Before: Meter, P.J., and Neff and O'Connell, JJ.

PER CURIAM.

In these consolidated appeals, respondents Russell William Coop (father) and Carol Lee Coop (mother) appeal as of right from the family court order terminating their parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

We have carefully reviewed the lower court record and conclude that the family court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence below did not show that termination of respondents' parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the family court did not err in terminating respondents' parental rights to the child.

Respondents' remaining issues do not have any merit. The family court did not abuse its discretion in striking respondent-father's direct testimony when he refused to answer questions on the same subject matter during cross-examination. Contrary to respondent-father's claim, a party has no constitutional right to refuse cross-examination concerning facts affecting his credibility on matters he himself has put in dispute. *Garrelts v Garrelts*, 101 Mich App 71, 75; 300 NW2d 454 (1980). Nor was respondent-father a "mere witness" in this case. He was a party to the proceedings and information about his drug use was of central importance in determining the best interests of the child. *Id.* at 76.

Further, the family court did not abuse its discretion in admitting respondent-father's treatment records into evidence. Where treatment records are found to be necessary and material to the neglect proceedings, the trial court may authorize disclosure of treatment records from a federally-funded drug treatment program. *In re Baby X*, 97 Mich App 111, 120; 293 NW2d 736 (1980). In light of respondent-father's claim that he had no substance abuse issues, good cause existed to admit the evidence of his long-standing and severe drug problems.

Respondent-mother's claim that she was not given adequate notice of two of the statutory grounds for termination has no merit. The allegations in the supplemental petition provided adequate notice, *In re Slis*, 144 Mich App 678, 684; 375 NW2d 788 (1985), and, in any event, only one ground for termination need be proved. *In re Trejo*, *supra* at 351.

Finally, the family court did not abuse its discretion in denying respondent-mother's motion for an adjournment while she was incarcerated during one hearing. Respondent-mother had no "absolute right" to be physically present at the hearing. *In re Vasquez*, 199 Mich App 44,

49; 501 NW2d 231 (1993). She was present at the hearing by speaker phone and was ably represented by counsel.

Affirmed.

/s/ Patrick M. Meter

/s/ Janet T. Neff

/s/ Peter D. O'Connell