

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DAVID REED III and SUSIE
REED, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CORIE REED,

Respondent-Appellant.

UNPUBLISHED
March 16, 2001

No. 229453
Cheboygan Circuit Court
Family Division
LC No. 98-000604-NA

Before: Griffin, P.J., Neff and White, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the family court's order terminating her parental rights to David Reed III and Susie Reed under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g).¹ We affirm.

To terminate parental rights, the court must find that at least one of the statutory grounds for termination has been met by clear and convincing evidence. *In re Trejo Minors*, 462 Mich 341, 355; 612 NW2d 407 (2000). Once a statutory ground for termination has been established, termination of parental rights is mandatory unless the court finds that termination clearly is not in the child's best interests. *Id.* at 356-357, MCL 712A.19b(5); MSA 27.3178(598.19b)(5). This Court reviews for clear error both the lower court's decision that a ground for termination has been proven by clear and convincing evidence and, where appropriate, the court's decision regarding the child's best interest. *Trejo, supra* at 356-357.

We agree with the trial court that the record establishes that respondent received repeated and extensive services to enable her to learn and incorporate in her daily life some of the basic prerequisites to successfully raising children, and that in spite of these services it was still necessary to remove the children once again from the home in August 1999. When the children

¹ The children's father, David Reed, has not appealed the termination of his parental rights.

were returned to foster care in August 1999, they had many bruises and abrasions, displayed uncontrolled behavior, and would bang their heads. Susie had bald patches on her scalp, both children had their basic hygiene seriously neglected, and David's verbal skills were very low. We agree with the trial court that these facts are compelling in that they existed after one year of intensive intervention and assistance to the Reed parents. We also agree that the record established that after the children were removed in August 1999, the basic problems with hygiene and cleanliness continued to exist with the parents, and that the fact that the parents were unable to care for their own needs demonstrated that they had not yet gained the ability to take care of the children's needs. The court noted that the parents had made some progress, but that this progress did not remove the conditions that led to the adjudication, and also noted that upon returning from visitations with their parents, the children had cuts and bruises that indicated that they were not being adequately monitored and controlled.

We also agree with the trial court that there was not a reasonable likelihood that those conditions would be rectified within a reasonable time considering the children's ages of 2 ½ and four years. The court cited the testimony of the psychologist who evaluated the Reed parents that the parents' IQ ranges prevent them from appreciably improving over time. The court also noted that testing of the minor David showed he was developmentally delayed and thus required much more attention and parenting effort than respondent or her husband would be able to provide. Finally, the court noted that this was an especially unfortunate case because both parents loved and cared for their children, but that it was in the children's best interests to have consistent, stable and appropriate care in the immediate future or the developmental delays the children experienced would accelerate and decrease any chance they have. The court noted that although the testimony established that there was some bond between the parents and the children, it was not such that the children experienced separation anxiety when they leave their parents, and that the children generally improved markedly after having been removed from their parents' home.

The court did not err in finding that statutory grounds for termination were established by clear and convincing evidence, MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g), or that termination of respondent's parental rights was in the children's best interest.

Affirmed.

/s/ Richard Allen Griffin
/s/ Janet T. Neff
/s/ Helene N. White