

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DOMINIQUE ANN CASTON,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DEBRA ANN CASTON,

Respondent-Appellant,

and

RICHARD FOUNTAIN,

Respondent.

UNPUBLISHED
April 3, 2001

No. 227727
Wayne Circuit Court
Family Division
LC No. 95-330569

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DEBRA ANN CASTON,

Respondent,

and

RICHARD FOUNTAIN,

Respondent-Appellant.

No. 227753
Wayne Circuit Court
Family Division
LC No. 95-330569

Before: Doctoroff, P.J., and Holbrook, Jr., and Hoekstra, JJ.

PER CURIAM.

In this consolidated appeal, respondent-mother and respondent-father appeal as of right from a family court order terminating their parental rights under MCL 712A.19b(3)(c)(i), (c)(ii), (g), (i), and (j); MSA 27.3178(598.19b)(3)(c)(i), (c)(ii), (g), (i), and (j). We affirm.

Once a trial court determines that one or more grounds for termination has been established by clear and convincing evidence, the trial court must terminate parental rights unless “there exists clear evidence, on the whole record, that termination is not in the child’s best interests.” *In re Trejo Minors*, 462 Mich 341, 354; 612 NW2d 407 (2000).

Respondents argue that the family court erred 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). We disagree. We review the family court’s findings under the clearly erroneous standard. *Id.* at 358. “A finding is clearly erroneous where the reviewing court is left with a firm and definite conviction that a mistake has been made.” *In re Jackson*, 199 Mich App 22, 25; 501 NW2d 182 (1993).

Neither respondent argues that the court erred in finding that subsection (3)(i) (parental rights to one or more siblings have been terminated and prior attempts at rehabilitation were unsuccessful) had been properly established by clear and convincing evidence. Accordingly, we need not address the remaining grounds cited by the trial court below. *In re Trejo, supra* at 360 (observing that once a single statutory ground is established, “it is technically unnecessary to address [additional grounds] . . . for termination”).

We note, however, that with the exception of subsection 19b(3)(c)(ii), the record does support the trial court’s findings. We do not believe the record supports a finding that subsection 19b(3)(c)(ii) was established because the grounds that justified the court’s assumption of jurisdiction were the same grounds that supported termination of respondents’ parental rights. As for the other grounds relied upon by the trial court, while respondents did successfully complete some of the court ordered requirements of their parent-agency treatment plans, they completely failed to effectively address their individual substance abuse problems. This was the major problem that each needed to address, and it was at the heart of many of the court ordered requirements (e.g., in-patient drug treatment, drug screens, and after treatment care and support). Neither respondent successfully complied with any of these requirements. They also did not secure a stable and suitable income for the support of the minor child.

The grounds for termination having been established by clear and convincing evidence, and given the lack of any evidence that termination is not in the best interest of the minor child, we conclude that the termination of respondent’s parental rights should be affirmed.

Affirmed.

/s/ Martin M. Doctoroff
/s/ Donald E. Holbrook, Jr.
/s/ Joel P. Hoekstra