

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of HW, AW, and SW, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

HOPE WADE,

Respondent-Appellant,

and

STEVEN WADE,

Respondent.

In the Matter of HW, AW, and SW, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

STEVEN WADE,

Respondent-Appellant,

and

HOPE WADE,

Respondent.

UNPUBLISHED

July 17, 2001

No. 231281

Kalamazoo Circuit Court

Family Division

LC No. 99-000069-NA

No. 231282

Kalamazoo Circuit Court

Family Division

LC No. 99-000069-NA

Before: Saad, P.J., and Holbrook, Jr. and Murphy, JJ.

MEMORANDUM.

Respondents appeal as of right from the order terminating their parental rights to the minor children, under MCL 712A.19b(3)(c)(i), (g), and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm.

Respondents concede 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). However, they contend that termination of their parental rights was improper because it was not in the children's best interests. We disagree. The evidence, viewed as a whole, did not show that termination of respondents' parental rights was clearly not in the children'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).

Respondents also contend that they were prejudiced by the delay in completing the termination hearing. However, respondents' parenting time was automatically suspended pursuant to MCL 712A.19b(4); MSA 27.3178(598.19b)(4) once the termination petition was filed. Thus, a more expeditious proceeding would not have allowed respondents further visitation. Moreover, it was respondents' own failure to comply with the treatment plan that caused them to lose visitation after December 21, 1999. Finally, there is no indication that additional visits would have resulted in favorable evidence or produced a different result. Accordingly, this argument is without merit.

Affirmed.

/s/ Henry William Saad
/s/ Donald E. Holbrook, Jr.
/s/ William B. Murphy