

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of M.D.T., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

PAMELA DURR,

Respondent-Appellant,

and

MICHAEL TERRY,

Respondent.

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UNPUBLISHED

October 2, 2001

No. 229768

Wayne County Circuit Court

Family Division

LC No. 96-340663

Before: Cavanagh, P.J. and Markey and Cooper, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court order terminating her parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (g) and (h). We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E).

The family court did not clearly err in finding that statutory grounds under MCL 712A.19b(3)(g) were established by clear and convincing evidence with respect to respondent-mother. MCR 5.974(I); *In re Miller*, 433 Mich 331; 445 NW2d 161 (1989). The additional statutory grounds were applicable to respondent-father and he is not a party to this appeal. Further, because at least one ground for termination was established, the court was required to terminate respondent-appellant's parental rights unless the court found that termination was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 364-365; 612 NW2d 407 (2000). The court's finding regarding the child's best interests was not clearly erroneous. *Trejo, supra*.

Moreover, the family court did not err in accepting and relying on the testimony of a new caseworker. Regard is given to the special ability of the family court to judge the credibility of the witnesses who appear before it, *Miller, supra* at 337, and the family court may decide the relative weight it will give each witness's testimony.

Furthermore, the family court did not fail to comply with MCR 5.974(G) in expressing its conclusions of law by checking boxes corresponding to the applicable statutory subsections. The family court's findings of fact, and its checking of the appropriate boxes, illustrated that the family court was aware of the specific issues present in this case and correctly applied the law to the facts.

Affirmed.

/s/ Mark J. Cavanagh

/s/ Jane E. Markey

/s/ Jessica R. Cooper