

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KEVIN DUANE THOMPSON,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SAMANTHA WILLIAMS,

Respondent-Appellant.

UNPUBLISHED

January 8, 2002

No. 228329

Wayne County Circuit Court

Family Division

LC No. 93-308061

Before: Meter, P.J., and Jansen and R. D. Gotham*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(b)(ii), (c)(i), (g), (i), and (j). This case is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

There was clear and convincing evidence to warrant termination of respondent's parental rights under § § 19b(3)(c)(i), (g), and (i). MCL 712A.19b(3); MCR 5.974(F)(3). Here, with respect to § § 19b(3)(c)(i) and (g), the evidence showed respondent did not establish a suitable home for herself and the child, that she submitted to only twenty of forty-three required drug screens (ten of those twenty were submitted on incorrect dates), and that she missed one-quarter of the scheduled visits with the child and showed little interaction with him during those visits. Further, seventeen referrals were made for parenting classes, but respondent attended only two classes in 1996 and two classes in 1999. Although she completed a parenting program in 1997, the caseworker indicated that respondent showed very little or no learning and did not benefit from the classes that she did attend. Respondent did attend individual counseling and an evaluation by the Clinic for Child Study; however, the evaluation indicated that respondent's prognosis was not good. Therefore, there was clear and convincing evidence that respondent did not substantially rectify the conditions leading to the child's adjudication within a reasonable time and that respondent failed to provide proper care or custody within a reasonable time.

* Circuit judge, sitting on the Court of Appeals by assignment.

With respect to § 19b(3)(i), respondent's parental rights to the child's sibling (his sister) had been terminated before his birth because respondent had failed to comply with the terms of the parent-agency agreement. Thus, there was clear and convincing evidence that respondent's parental rights over the child's sibling were terminated because of serious and chronic neglect or physical abuse and prior attempts to rehabilitate respondent were unsuccessful.

Although we find that termination was not warranted under §§ 19b(3)(b)(ii) and (j) because there was not clear and convincing evidence that there was a reasonable likelihood that the child would suffer injury, abuse, or harm if placed in the parent's home, only one statutory ground need be established by clear and convincing evidence to warrant termination of parental rights. *In re Sours Minors*, 459 Mich 624, 632; 593 NW2d 520 (1999).

Additionally, we find that the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not clearly err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Patrick M. Meter
/s/ Kathleen Jansen
/s/ Roy D. Gotham