

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of W. W., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

TERRY W. WHITE, JR.,

Respondent-Appellant,

and

ANGELA NICHOLS,

Respondent.

UNPUBLISHED

March 1, 2002

No. 234648

Sanilac Circuit Court

Family Division

LC No. 00-033650-NA

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In the Matter of WHITNEY WHITE, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANGELA NICHOLS,

Respondent-Appellant,

and

TERRY W. WHITE, JR.,

Respondent.

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No. 234660

Sanilac Circuit Court

Family Division

LC No. 00-033650-NA

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Before: Bandstra, P.J., and Murphy and Murray, JJ.

PER CURIAM.

Respondents appeal as of right the order terminating their parental rights to their daughter. We affirm. These appeals are being decided without oral argument pursuant to MCR 7.214(E).

After a petition was filed, the court took jurisdiction over the child after respondents admitted select paragraphs of the petition, and entered into mediation. The mediation resulted in an initial service plan that required respondents to submit to psychological evaluations, follow recommendations from those evaluations, and complete certain courses to be determined by petitioner. The court terminated respondents' parental rights after it found that respondents failed to provide the interaction necessary for the child to develop communication, fine motor, and problem solving skills. Respondents failed to consistently participate in programs to improve their parenting, and there was no reasonable likelihood that the conditions would be rectified within a reasonable time, given the age of the child. Due to the nature of the relationship between respondents, it was likely that the child would be harmed if returned to the parents' home. The child's need for permanency established that termination of respondents' parental rights would be in her best interest.

Under MCL 712A.19b(3), the petitioner for the termination of parental rights bears the burden of proving at least one ground for termination. *In re Trejo Minors*, 462 Mich 341; 617 NW2d 407 (2000). Once the petitioner has presented clear and convincing evidence that persuades the court that a ground for termination is established, termination of parental rights is mandatory unless the court finds that termination is clearly not in the child's best interests. *Id.* at 355-356. Decisions terminating parental rights are reviewed for clear error. *Id.* at 356.

There is clear and convincing evidence to support the termination of respondents' parental rights under MCL 712A.19b(3)(c)(i), (g) and (j). While the physical condition of the home improved, there was no evidence that either respondent was able to provide the child with the stimulation and encouragement necessary for her to progress in her development. Respondents' failure to properly nurture the child supports a termination of parental rights on all three statutory grounds. The evidence did not show that termination was clearly not in the best interest of the child. MCL 712A.19(b)(5); *In Re Trejo minors, supra* at 356-357..

Affirmed.

/s/ Richard A. Bandstra  
/s/ William B. Murphy  
/s/ Christopher M. Murray