

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KRISTEN NICOLE
STEVENSON, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

YOLANDA LITITIA STEVENSON,

Respondent-Appellant,

and

STEVEN ANDREW GILBERT,

Respondent.

UNPUBLISHED

April 23, 2002

No. 232317

Wayne Circuit Court

Family Division

LC No. 99-382177

Before: Gage, P.J., and Griffin and Buth*, JJ>

MEMORANDUM.

Respondent Yolanda Stevenson appeals as of right the order terminating her parental rights to her daughter. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Proceedings began after police were called to a homeless shelter where respondent indicated that she was unable to care for her child. The court took jurisdiction and made the child a temporary ward of the court. Respondent agreed to a treatment plan set up by the foster care worker. Respondent failed to follow the plan and her parental rights were terminated under MCL 712A.19b(3)(c)(i), (g), and (j).

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

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

mandatory unless the court finds that termination is clearly not in the child's best interests. *Id.*, 355-356. Decisions terminating parental rights are reviewed for clear error. *Id.*, 356.

On appeal, respondent argues that the court erred in finding that termination was in the best interests of the child. There was clear and convincing evidence to support the termination. Respondent admitted that she could not provide a proper home for the child. Although the child had a strong bond with respondent, and wanted to continue to see respondent, her behavior and school performance improved after visitation was suspended. Where respondent made no progress in her treatment plan, there was no prospect for returning the child to respondent's custody. The court did not err in finding that the child's need for permanence and stability rendered termination in her best interest.

Affirmed.

/s/ Hilda R. Gage
/s/ Richard Allen Griffin
/s/ George S. Buth