

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of S.D. and C.D., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LAURA DICKSON,

Respondent-Appellant.

UNPUBLISHED

July 12, 2002

No. 237993

Jackson Circuit Court

Family Division

LC No. 01-001075-NA

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CURTIS DICKSON, JR.,

Respondent-Appellant.

No. 238076

Jackson Circuit Court

Family Division

LC No. 01-001075-NA

Before: Hood, P.J., and Saad and E. M. Thomas*, JJ.

MEMORANDUM.

In these consolidated cases respondents appeal as of right the trial court's order terminating their parental rights to their sons pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm in both cases. These appeals are being decided without oral argument pursuant to MCR 7.214(E).

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate parental rights unless it finds from

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

evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353-354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.*, 356-357.

We hold that the trial court did not clearly err in finding that petitioner established one or more statutory grounds for termination of respondents' parental rights. Petitioner initiated this action after it learned that respondents' home was filthy, and that the children had serious and long-neglected medical problems. At the permanent custody hearing the evidence showed that the home was still unsuitable. Neither respondent had benefited to any significant degree from counseling. Respondent father had not addressed his addiction to alcohol. No witness could testify that respondents were able to provide proper care for the children at present, or that they would be able to do so in the foreseeable future.

The trial court did not clearly err in finding that termination of respondents' parental rights was warranted on the grounds that the conditions that led to adjudication continued to exist and there was no reasonable likelihood that the conditions would be rectified within a reasonable time, MCL 712A.19b(3)(c)(i), that respondents failed to provide proper care or custody and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g), and that it was reasonably likely that the children would be harmed if returned to respondents' home, MCL 712A.19b(3)(j). The evidence did not show that termination of respondents' parental rights was clearly not in the children's best interests. MCR 5.974(I); *Trejo, supra*.

Affirmed.

/s/ Harold Hood
/s/ Henry William Saad
/s/ Edward M. Thomas