

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of B.P.D. and G.L.G., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CANDICE LOU DRAPER,

Respondent-Appellant.

UNPUBLISHED

August 6, 2002

No. 237234

Wayne Circuit Court

Family Division

LC No. 91-291299

Before: Murray, P.J., and Sawyer and Zahra, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating her parental rights to her children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).¹ We affirm.

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 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 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 the trial court did not clearly err in finding that petitioner established one or more statutory grounds for termination of respondent's parental rights. Petitioner provided respondent with various services; however, respondent made very little progress in addressing her difficulties, in particular her longstanding addiction to cocaine. Respondent's circumstances at the time of the termination hearing had not improved to any significant degree since the children were removed from her custody.

¹ No request was made to terminate the parental rights of G.L.G.'s father. The father of B.P.D. is deceased.

The trial court did not clearly err in finding that termination of respondent parental rights was warranted on the grounds the conditions that led to adjudication continued to exist and it was not reasonably likely the conditions would be rectified within a reasonable time considering the children's ages, MCL 712A.19b(3)(c)(i), that respondent failed to provide proper care or custody for the children and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g), and that there was a reasonable likelihood the children would be harmed if returned to respondent's care, MCL 712A.19b(3)(j). The evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCR 5.974(I); *Trejo, supra*.

Affirmed.

/s/ Christopher M. Murray

/s/ David H. Sawyer

/s/ Brian K. Zahra