

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of P.B., S.B., J.B., and A.B., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ROBERT BEAUDRY,

Respondent-Appellant,

and

ANNA RIVARD, a/k/a ANNA BEAUDRY,

Respondent.

UNPUBLISHED

August 20, 2002

No. 239406

Van Buren Circuit Court

Family Division

LC No. 99-012063

Before: White, P.J., and Neff and Jansen, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from an order terminating his parental rights to his minor children under MCL 712A.19b(3)(h) and (n)(i). We affirm.

Respondent-appellant's sole claim on appeal is that his parental rights should not have been terminated because petitioner failed to make reasonable efforts to reunite him with the children. This Court reviews the trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). A finding is clearly erroneous if this Court is left with a definite and firm conviction that a mistake has been made. *In re Powers Minors*, 244 Mich App 111, 117-118; 624 NW2d 472 (2000).

The family court did not err. It is the policy of the state to keep children with their parents whenever possible. See MCL 712A.1; *In re Springer*, 172 Mich App 466, 474-475; 432 NW2d 342 (1988). However, reunification efforts are not required when it would cause a substantial risk of harm to the child's life, physical health, or mental well-being. See MCL 712A.19a(6). In fact, under appropriate circumstances, reunification efforts may cease and a court may terminate a respondent's parental rights at the initial dispositional hearing. See MCR 5.974(D).

In this case, the record shows that petitioner provided services for both parents until respondent's incarceration in April or May 1999. Respondent was uncooperative and apathetic about those services and threatened to sue petitioner over its involvement with the family. After he was incarcerated, the court – not petitioner – suspended all visitation. Respondent does not suggest what services petitioner should have provided after he pleaded guilty of first-degree criminal sexual conduct and was imprisoned. He refused to avail himself of treatment for sexual offenders or vocational training while in prison. Under the circumstances of the case, we find no merit in respondent's claim that termination of his parental rights was improper because further efforts at reunification were not made.

Affirmed.

/s/ Helene N. White

/s/ Janet T. Neff

/s/ Kathleen Jansen