

Court of Appeals, State of Michigan

ORDER

IN RE COOK/JONES/WATKINS MINORS

Docket No. 251546 & 251637

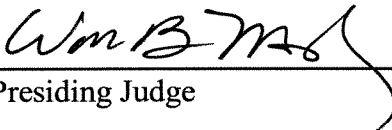
LC No. 01-401039

William B. Murphy
Presiding Judge

Richard Allen Griffin

Helene N. White
Judges

The Court issued its opinion in this consolidated appeal on July 20, 2004. It is ORDERED that the following correction be made to a minor party's name in Docket No. 251637: Tamara-Minnie Crayola-Geraldine Watkins. The opinion remains the same in all other respects.



Presiding Judge



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 18 2004

Date



Chief Clerk

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of STEPHANIE ANN LATONIA
COOK, ANTHONY JOHN JONES, TAMARA-
MINNIE CRAYOLA-GERALDINE WATKINS,
and MINARINA-BILL JALESSA STEPHANIE
LATRINA WATKINS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANGELINE TAMARA JONES,

Respondent-Appellant,

and

JAMES ANTHONY WATKINS, DAVID
WRIGHT, and STEPHEN COOK,

Respondents.

In the Matter of TAMARA-MINNIE GRAYLOR
GERALDINE WATKINS and MINARINA-BILL
JALESSA STEPHANIE LATRINA WATKINS,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES ANTHONY WATKINS,

Respondent-Appellant,

UNPUBLISHED

July 20, 2004

No. 251546

Wayne Circuit Court

Family Division

LC No. 01-401039

No. 251637

Wayne Circuit Court

Family Division

LC No. 01-401039

and

ANGELINE TAMARA JONES and STEPHEN
COOK,

Respondents.

Before: Murphy, P.J., and Griffin and White, JJ.

PER CURIAM.

In these consolidated appeals, respondents Angeline Tamara Jones and James Anthony Watkins appeal as of right from an order terminating their parental rights to their children pursuant to MCL 712A.19b(3)(b)(ii), (c)(i), (g), and (j). We affirm.

In order to terminate parental rights, the trial court must find that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). This Court reviews the trial court's findings under the clearly erroneous standard. MCR 3.977(J); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). This Court gives due regard to the trial court's unique ability to assess the witnesses' credibility. *Id.*

The trial court erred in terminating respondents' parental rights under § 19b(3)(b)(ii), failure to protect children from abuse, because the evidence of past abuse was too vague to satisfy this provision by clear and convincing evidence. However, only a single statutory ground for termination is required. *In re Sours Minors*, 459 Mich 624, 632; 593 NW2d 520 (1999). There was ample evidence to establish that termination was warranted under §§ 19b(3)(c)(i), (g), and (j).

The evidence established that respondent Jones failed to resolve the substance abuse and domestic violence problems that led to the children's adjudication as court wards. She continued to test positive for drug use, and she continued to excuse and tolerate respondent Watkins' violent conduct toward her. She failed to appreciate her children's special needs, hindered Stephanie's mental health treatment, and failed to understand the most basic aspects of addressing Stephanie's and Anthony's special needs. Her failure to understand these children's needs is probative of how she would treat the younger children if they were in her care. *In re Powers*, 208 Mich App 582, 588-589; 528 NW2d 799 (1995).

The evidence established that Watkins failed to resolve his substance abuse problem and tested positive for cocaine five times during the pendency of the termination hearing. He failed to benefit from domestic violence treatment and casually excused his most recent episode of violence as a "mistake." He failed to establish an independent plan for providing for the children apart from Jones. By his own admission, he has a history of failing to provide support for his eight other children.

With respect to both respondents, the evidence did not show that termination of their parental rights was clearly not in the children's best interests. MCL 712A.19b(5).

Affirmed.

/s/ William B. Murphy
/s/ Richard Allen Griffin
/s/ Helene N. White