

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of LE'CALVIS JACKSON, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VERA JACKSON,

Respondent-Appellant,

and

BENJAMIN JONES,

Respondent.

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In the Matter of VONTAYSHA JACKSON, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VERA JACKSON,

Respondent-Appellant,

and

ANTHONY BEE,

Respondent.

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UNPUBLISHED

August 19, 2004

No. 253570

Saginaw Circuit Court

Family Division

LC No. 01-027275-NA

No. 253682

Saginaw Circuit Court

Family Division

LC No. 01-027274-NA

In the Matter of RAY DARNELL ADKINS and  
VERAISHIONA ADKINS, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VERA JACKSON,

Respondent-Appellant.

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No. 253685  
Saginaw Circuit Court  
Family Division  
LC No. 01-027276-NA

Before: Hoekstra, P.J., and Cooper and Kelly, JJ.

PER CURIAM.

In these consolidated appeals, respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(i), (c)(i), (g), and (j). We affirm.

The trial court did not clearly err in determining that the statutory grounds for termination of parental rights were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The children were made temporary court wards after three-year-old Ray's day care providers noticed marks on his body consistent with abuse on more than one occasion. Respondent-appellant complied with services immediately, and after six months of counseling, engaging in a parent mentor program, and completing parenting classes, the children were returned to her in January 2002. On February 8, 2002, the children were removed again after Ray's day care providers reported marks on his body, and evidence at a hearing indicated that respondent-appellant beat Ray with a broomstick.

Respondent-appellant became severely ill in May 2002, and became unable to meaningfully participate in services. She was sentenced in February 2003 to jail on her plea of no contest to charges of second-degree child abuse for a previous incident in November 2000 in which Ray's feet were burned, and was released from jail on June 29, 2003. Thus, she did not participate in services for well over a year. Over two years elapsed between the October 1, 2001, adjudication and the December 2003 termination hearing.

The evidence showed that, although respondent-appellant was re-engaged in services at the time of the termination hearing, her prior six-month engagement in services did not result in change in her disciplinary methods. While courts are reluctant to interfere with parents' discipline of their children, in this case respondent-appellant's discipline constituted abuse. Respondent-appellant did not feel that severely whipping the children was wrong. The trial court did not err in determining that respondent-appellant failed to provide proper care or custody of

the children by physically abusing them, and that the children were likely to be abused again in the foreseeable future if placed with respondent-appellant.

Further, the evidence failed to show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The evidence showed that Le'Calvis and Vontaysha were bonded to respondent-appellant and wanted to return to her. The younger children, Ray and Veraishiona, were not bonded with respondent-appellant. The testimony of respondent-appellant's and the children's counselor clearly showed that the children, particularly Le'Calvis and Vontaysha, needed immediate permanence. Le'Calvis was not attached to any adult, and Vontaysha suffered hallucinations and suicidal ideations. Given the uncertainty of the children ever being able to permanently return to respondent-appellant, respondent-appellant's past failure to benefit from services, her continued opinion that her manner of whipping was not abusive, and the length of time the children had already been in care, the trial court's finding regarding the children's best interests was not clearly erroneous.

Affirmed.

/s/ Joel P. Hoekstra  
/s/ Jessica R. Cooper  
/s/ Kirsten Frank Kelly