

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of DYLAN JAMES ISAAC, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BETH ISAAC,

Respondent-Appellant,

and

BRIAN ISAAC,

Respondent.

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UNPUBLISHED

August 19, 2004

No. 254253

Branch Circuit Court

Family Division

LC No. 02-002458-NA

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

MEMORANDUM.

Respondent Beth Isaac appeals as of right the order terminating her parental rights. We affirm.

Under MCL 712A.19b(3), the petitioner for the termination of parental rights bears the burden of proving at least one ground for termination. *In re Trejo Minors*, 462 Mich 341; 612 NW2d 407 (2000). Once the petitioner has presented clear and convincing evidence that persuades the court that a ground for termination is established, termination of parental rights is mandatory unless the court finds that termination is clearly not in the child's best interests. *Id.*, 354-356. Decisions terminating parental rights are reviewed for clear error. *Id.*, 356.

Respondent's parental rights to two other children were previously terminated due to chronic neglect, and the trial court properly found that the statutory basis for termination was established. MCL 712A.19b(3)(i). The evidence failed to show that termination was not in the best interests of the child. Respondent and the father continued to have problems with substance abuse and domestic violence, which significantly affected the child. The case worker observed that the parents were unmotivated and did not appear to be invested in obtaining the child's return. The court did not clearly err in terminating respondent's parental rights.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Jessica R. Cooper

/s/ Kirsten Frank Kelly