

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KASANDRA LEANN SILLS and
HIDEE MICHELLE SILLS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MELISSA SILLS,

Respondent-Appellant.

UNPUBLISHED

August 24, 2004

No. 253920

Ingham Circuit Court

Family Division

LC No. 00-396101-NA

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

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j). We affirm. We decide this case without oral argument pursuant to MCR 7.214(E).

Respondent complied with very few court orders, which were made in this case for her benefit and that of the children. She continued a relationship with her physically abusive boyfriend during the proceedings, until he was arrested and extradited to Florida, and lied about it. She continued to use marijuana by her own admission until less than two months before the termination hearing. Both this domestic violence and her drug use were conditions leading to adjudication. She failed to attend NA meetings consistently and did not seek substance abuse treatment or individual counseling until the termination hearing began. She failed to complete parenting classes. She moved a great distance away without notifying the caseworker, making it all but impossible for her to receive necessary services.

Based on this, the trial court did not clearly err in finding that grounds for termination under MCL 712A.19b(3)(c)(i), (g), and (j), at least, were established by clear and convincing evidence.¹ MCR 3.977(G); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further,

¹ We do not decide whether respondent deserted her children under MCL 712A.19b(3)(a)(ii) by apparently refusing to submit any further drug screens after being told her visits could resume when she had negative drug screens for one week. However, only one statutory ground is
(continued...)

the evidence failed to show that termination of respondent's parental rights was clearly not in the children's best interests. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent's parental rights.

Respondent also asserts that she was denied due process when the trial court failed to look at the totality of the circumstances and give greater weight to her evidence of progress and recent efforts to comply. Since termination of respondent's parental rights was, in fact, based on clear and convincing evidence, respondent was not denied due process by the trial court finding that her more recent efforts were insufficient. *In re JK*, 468 Mich 202, 210-213; NW2d (2003).

Affirmed.

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

(...continued)

necessary for termination. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).