

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ANGELICA PATTERSON,
ANGELIC PATTERSON, and ANGELA
PATTERSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CHARLES PATTERSON,

Respondent-Appellant.

UNPUBLISHED

October 28, 2004

No. 253436

Macomb Circuit Court

Family Division

LC No. 01-051077-NA

Before: Whitbeck, C.J., and Jansen and Bandstra, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal condition leading to adjudication was respondent's inability to care for and supervise his children. The evidence established that respondent failed to substantially comply with the parent-agency agreement, was in denial of the problems facing the children, and had not progressed in parenting skills after considerable services were provided. Moreover, respondent was unable to extricate himself from his relationship with his drug-addicted wife, the children's mother, whose parental rights had previously been terminated. Services had been provided for more than two years with no progress. There was no reasonable expectation that respondent would gain the ability to provide proper care and custody for his children within a reasonable time.

Further, the evidence did not show that termination of respondent'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). Although the children and respondent loved each other, the bond between the children and respondent was not a secure one. Moreover, the evidence revealed that the children had been under care for approximately two years, had special needs, and were in need of structure, permanency, security and safety in their lives.

We recognize that parents have a significant interest in the companionship, care, custody, and management of their children, and the interest is an element of liberty protected by due process. *In re JK*, 468 Mich 202, 210; 661 NW2d 216 (2003). However, because petitioner presented clear and convincing evidence of statutory grounds for termination, respondent's liberty interest no longer includes the right to the custody and control of his children. *Trejo*, *supra* at 355.

We affirm.

/s/ William C. Whitbeck
/s/ Kathleen Jansen
/s/ Richard A. Bandstra