

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of DEJOHNAE BELL, RAYONA  
BELL, and RAMON BELL, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHAVON BELL,

Respondent-Appellant,

and

RAMON BELL, SR.,

Respondent.

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UNPUBLISHED  
December 28, 2004

No. 255053  
Kent Circuit Court  
Family Division  
LC No. 02-252900

Before: Hoekstra, P.J., and Griffin and Borrello, JJ.

PER CURIAM.

Respondent appeals as of right from the trial court's order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g). We affirm.

MCL 712A.19b(5) mandates the termination of parental rights if the petitioner establishes grounds for termination under MCL 712A.19b(3), unless the trial court finds that termination is clearly not in the child's best interest. *In re Trejo*, 462 Mich 341, 344; 612 NW2d 407 (2000). We review a trial court's findings regarding the grounds for termination for clear error. *Id.*, at 356-357. A finding of fact is clearly erroneous if the reviewing court, giving due regard to the trial court's special opportunity to observe the witnesses, is left with a definite and firm conviction that a mistake has been made. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Terry*, 240 Mich App 14, 22; 610 NW2d 563 (2000).

Under MCL 712A.19b(3)(c)(i), a court has grounds for terminating a person's parental rights if that parent was a respondent in a termination proceeding, at least 182 days have passed since the issuance of the initial dispositional order, and the court finds by clear and convincing evidence that:

The conditions that led to the adjudication continue to exist and there is no reasonable likelihood that the conditions will be rectified within a reasonable time considering the child's age.

Additionally, grounds for termination exist where a court finds by clear and convincing evidence that:

The parent, without regard to intent, fails to provide proper care or custody for the child and there is no reasonable expectation that the parent will be able to provide proper care and custody within a reasonable time considering the child's age. [MCL 712A.19b(3)(g)].

Before giving its decision in the instant case, the trial court summarized the evidence as follows. The expert who conducted respondent's psychological evaluation testified that respondent is highly narcissistic, is more concerned about herself than the welfare of her children, and that her effectiveness as a parent is limited by her use of cocaine. The social workers who monitored respondent's visits with her children described the visits as chaotic and stated that respondent had difficulty managing the children's behavior or understanding their needs. Three other social workers testified that respondent failed several drug tests, showed signs of having a substance abuse disorder, and could not provide a safe and stable environment for the children.

Based on this evidence, the trial court found grounds to terminated respondent's parental rights under both MCL 712A.19b(3)(c)(i) and MCL 712A.19b(3)(g). Upon review of the record, we are not convinced that the trial court committed clear error in determining that respondent failed to provide proper care and custody for her children and that there was no reasonable expectation that respondent would be able to do so within a reasonable time. Because we find the trial court did not err in determining that clear and convincing evidence existed to support termination of respondent's parental rights under MCL 712A.19b(3)(g), we need not consider whether termination was also proper under MCL 712A.19b(3)(c)(i).

Affirmed.

/s/ Joel P. Hoekstra  
/s/ Richard Allen Griffin  
/s/ Stephen L. Borrello