

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JESSICA HICKS and EMILY
HICKS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHARON LEE HICKS,

Respondent-Appellant,

and

WILLIAM RODGER RICE,

Respondent.

UNPUBLISHED
December 28, 2004

No. 255540
Oakland Circuit Court
Family Division
LC No. 02-665945-NA

Before: Murphy, P.J., White and Kelly, JJ.

MEMORANDUM.

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

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 Trejo Minors*, 462 Mich 341, 351; 612 NW2d 407 (2000). The primary condition that led to adjudication was appellant's substance abuse. Numerous services were ordered to address this condition, but appellant did not substantially comply with the requirements in the parent-agency agreement. Although appellant entered treatment on at least three occasions, no evidence was presented that any treatment was successful. Appellant failed to participate in counseling and only attended AA and NA meetings for three weeks in 2002 and again while in jail. She completed only two drug screens, despite the fact they were required weekly. She failed to attend several court hearings, including the termination hearing, without adequate explanation on the record. Appellant only visited the children three times during the seven months before visits were suspended. She also failed to visit the children after her release from jail. She did not submit a plan or budget. She did not take parenting classes and maintained poor contact with the

caseworkers. There was testimony that continued substance abuse would be harmful to the children.

Given this record, we are convinced that the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. Further, the evidence did not 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*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). In fact, there was testimony that termination would not harm the children. Thus, the trial court did not err in terminating respondent-appellant's parental rights.

Affirmed.

/s/ William B. Murphy
/s/ Helene N. White
/s/ Kirsten Frank Kelly