

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MATTHEW KINSMAN, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

KIRSTEN KINSMAN,

Respondent-Appellant,

and

ROGER KINSMAN,

Respondent.

In the Matter of BRANDON KINSMAN, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

KIRSTEN KINSMAN,

Respondent-Appellant,

and

ROGER KINSMAN,

Respondent.

Before: Owens, P.J., and Saad and Fort Hood, JJ.

UNPUBLISHED
December 20, 2005

No. 264082
Washtenaw Circuit Court
Family Division
LC No. 05-000003-NA

No. 264084
Washtenaw Circuit Court
Family Division
LC No. 05-000002-NA

MEMORANDUM.

In these consolidated appeals, respondent-appellant Kirsten Kinsman appeals by right from the trial court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(i), (g), (j), and (k)(ii). We affirm. These appeals are being decided without oral argument pursuant to MCR 7.214(E).

Because respondent-appellant entered a no-contest plea to the allegations that she had repeatedly sexually molested her children, the only issue before the trial court and on appeal is whether, despite the grounds for termination, there was evidence that termination would not be in the children's best interests. Once the trial court finds at least one statutory ground for termination by clear and convincing evidence, the court must order termination of parental rights unless the court finds that termination is clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). The trial court's decision regarding a child's best interests is reviewed for clear error. MCR 3.977(J); *Trejo*, *supra* at 356-357.

We have carefully reviewed the lower court record and hold that the trial court did not clearly err in finding that there was no evidence that the children's best interests precluded termination of respondent-appellant's parental rights. The trial court gave careful consideration to testimony from the evaluating psychologist, two social workers, a family therapist, and others to determine that the evidence established that respondent-appellant had not adequately addressed her dependent personality disorder and would not be able to do so within a reasonable time. As a result, the children, if returned to her care, would be at risk of further harm. Therefore, the trial court did not clearly err in ordering termination of respondent-appellant's parental rights to the children.

Affirmed.

/s/ Donald S. Owens
/s/ Henry William Saad
/s/ Karen M. Fort Hood