

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of K'LEVELLE MICHAEL DENT,  
Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

AINER M. DENT,

Respondent-Appellant.

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UNPUBLISHED

December 18, 2007

No. 278052

Wayne Circuit Court

Family Division

LC No. 90-283715-NA

Before: Saad, P.J., and Owens and Kelly, JJ.

PER CURIUM.

Respondent appeals as of right from an order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (i), and (l). We affirm.

The child at issue in this case is respondent's seventh child. Respondent's parental rights to six older children were previously terminated in 1992, 2001, and 2005, due to neglect and drug abuse. Despite respondent's history, the trial court denied a petition to terminate respondent's parental rights to the present child at the initial dispositional hearing, and instead ordered petitioner to provide respondent with a treatment plan, principally to address her substance abuse and severe depression. Services were provided for more than a year, but respondent made little progress with her treatment plan. Consequently, petitioner filed a supplemental petition to terminate respondent's parental rights, which the trial court granted in April 2007.

Petitioner has the burden of proving a statutory ground for termination by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 350; 612 NW2d 407 (2000). This Court reviews the trial court's findings of fact under the clearly erroneous standard. MCR 3.977(J). A finding of fact is clearly erroneous when the reviewing court has a definite and firm conviction that a mistake has been made. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Deference must be accorded to the trial court's assessment of the credibility of the witnesses before it. *In re Newman*, 189 Mich App 61, 65; 472 NW2d 38 (1991).

Although respondent argues that the trial court erred in finding that termination of her parental rights was justified under § 19b(3)(c)(i), the trial court also relied on §§ 19b(3)(i) and (l)

as additional statutory bases for termination. Termination of parental rights need only be supported by a single statutory ground. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). Because respondent does not challenge the trial court's determination that termination was appropriate under §§ 19b(3)(i) and (l), we may affirm the trial court's finding of a statutory basis for termination on this basis alone.

Nonetheless, we find no merit to respondent's argument that termination was not appropriate under § 19b(3)(c)(i) also. Respondent was provided with referrals for four different substance abuse treatment programs, but was unsuccessful in addressing her substance abuse problem. She also failed to successfully address her severe depression. Furthermore, the record does not support respondent's argument that petitioner was responsible for respondent's delay in obtaining a psychological evaluation. The record shows that respondent was given several referrals for an evaluation and was also advised by the trial court of the need to obtain an evaluation, but failed to appear at scheduled appointments.

The record also does not support respondent's argument that she was unable to address her depression and substance abuse issues until she obtained the psychological evaluation. Respondent was referred to the Eleonore Hutzel Recovery Center for treatment of her substance abuse early in this case and, while in that program, she was treated by a psychiatrist and was prescribed medication for her depression. However, respondent did not successfully complete that program or benefit from the services provided due to her own conduct.

The trial court did not clearly err in finding that § 19b(3)(c)(i) was established by clear and convincing evidence.

Respondent also argues that termination of her parental rights was not in the child's best interests. We disagree.

Once a statutory ground for termination is established, "the court must issue an order terminating parental rights unless there exists clear evidence, on the whole record, that termination is not in the child's best interests." *In re Trejo, supra* at 350, 354; MCL 712A.19b(5). The trial court's best interests decision is also reviewed for clear error. *In re Trejo, supra* at 356-357.

Respondent argues that the trial court should have given her additional time to work on her treatment plan. We disagree. Respondent had almost 14 months to demonstrate that she could resolve the conditions that led to the child's removal, but failed to make any real progress in addressing her substance abuse and mental health problems. The child was removed from respondent's custody at birth, respondent's continued substance abuse prevented her from having regular visits with the child, and no real bond was ever established between respondent and the child. The evidence did not clearly show that termination of respondent's parental rights was not in the child's best interests. Accordingly, the court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Henry William Saad

/s/ Donald S. Owens

/s/ Kirsten Frank Kelly