

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of JASON ALLEN SCHARLOW,  
JR., Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JESSICA PORTER,

Respondent-Appellant,

and

JASON ALLEN SCHARLOW, SR.,

Respondent.

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In the Matter of JASON ALLEN SCHARLOW,  
JR., Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JASON ALLEN SCHARLOW, SR.,

Respondent-Appellant,

and

JESSICA PORTER,

Respondent.

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UNPUBLISHED

January 29, 2008

No. 279926

Muskegon Circuit Court

Family Division

LC No. 02-031301-NA

No. 279927

Muskegon Circuit Court

Family Division

LC No. 02-031301-NA

Before: Beckering, P.J., and Sawyer and Fort Hood, JJ.

PER CURIAM.

In these consolidated appeals, respondents appeal as of right from a circuit court order terminating their parental rights to the minor child pursuant to MCL 712A.19b(3)(a)(ii), (c)(i), (g), (h), and (j). We affirm.

The trial court did not clearly err in finding that §§ 19b(3)(c)(i), (g), and (j) were each established by clear and convincing evidence with respect to respondent Porter. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Respondent Porter had a long-term substance abuse history and was advised from the outset of the importance of obtaining treatment. She made minimal efforts to participate in treatment and continued to abuse drugs throughout the pendency of the proceedings.

Respondent Scharlow concedes that there was sufficient evidence to establish statutory grounds for termination. He argues, however, that termination of his parental rights was contrary to the child's best interests. Respondent Porter similarly argues that termination of her parental rights was not in the child's best interests.

Once a statutory ground for termination has been proven, "the court shall order termination of parental rights . . . unless the court finds that termination of parental rights to the child is clearly not in the child's best interests." MCL 712A.19b(5). Although the child loved and missed respondent Scharlow, he required a stable and permanent home life. Respondent Porter was unable to provide it because of her substance abuse problem and, because of his incarceration, respondent Scharlow would not be able to provide it for several years. Under the circumstances, the evidence did not clearly show that termination of respondents' parental rights was not in the child's best interests. *In re Trejo Minors*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not clearly err in terminating respondents' parental rights to the child. *Id.* at 356-357.

Affirmed.

/s/ Jane M. Beckering  
/s/ David H. Sawyer  
/s/ Karen M. Fort Hood