

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of KEVIN JEROME-LEE  
FOREHAND, Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

KEISHA FOREHAND,

Respondent-Appellant.

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UNPUBLISHED

April 29, 2008

No. 280404

Wayne Circuit Court

Family Division

LC No. 05-437648-NA

Before: Bandstra, P.J., and Fitzgerald and Markey, JJ.

PER CURIAM.

Respondent appeals as of right from the order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).<sup>1</sup> We affirm.

The trial court did not clearly err in determining that at least one statutory ground for termination was established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); MCR 3.977(J). A petition seeking termination of respondent's parental rights was filed alleging that she had sexually abused her daughter and son.<sup>2</sup> On April 14, 2005, respondent entered a no-contest plea, and petitioner removed the request to terminate her parental rights at the initial disposition. The court accepted respondent's plea, and respondent was ordered to attend individual counseling and parenting classes and to obtain housing and employment.

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<sup>1</sup> The trial court also cited MCL 712A.19b(3)(k) in its findings stated on the record. However, in its written order, the trial court cited only MCL 712A.19b(3)(c)(i), (g), and (j). Because "a court speaks through its written orders," we will not address subsection (3)(k). *In re Gazella*, 264 Mich App 668, 677; 692 NW2d 708 (2005).

<sup>2</sup> The petition included respondent's two children, Ashley and Kevin. However, the trial court did not terminate respondent's parental rights to Ashley.

Respondent contends that the trial court clearly erred in terminating her parental rights to Kevin because Ashley recanted her allegations of sexual abuse. However, Kevin never recanted his assertions of sexual abuse by respondent, and the trial court took judicial notice of respondent's no-contest plea. Respondent's plea, along with testimony that respondent failed to fully participate in therapy sessions and parenting classes, supports the trial court's finding that the condition that led to adjudication continued to exist, that respondent failed to provide proper care for Kevin, and that there was a risk of harm if Kevin was returned to respondent's care. The amount of time that respondent was given to comply with the parent agency agreement, and her failure to do so, supports the finding that there was no reasonable likelihood that she would be able to rectify the condition within a reasonable time, or to provide proper care within a reasonable time, considering Kevin's age. Thus, termination was warranted under MCL 712A.19b(3)(c)(i), (g), and (j).<sup>3</sup>

The trial court also did not clearly err in its best interests determination. MCL 712A.19b(5); *Trejo, supra* at 353. The lower court record reveals that Kevin has cerebral palsy. It also reveals that respondent adopted Kevin. In addition, Kevin had been placed with an aunt, but was removed from that home because of allegations of improper discipline. This child needs a stable and loving home. Although respondent had a home and a job at the time of trial, she had not participated in individual counseling and parenting classes. The foster care worker testified that Kevin was happy and was progressing well in his current placement. Accordingly, the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests.

We affirm.

/s/ Richard A. Bandstra  
/s/ E. Thomas Fitzgerald  
/s/ Jane E. Markey

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<sup>3</sup> We note that respondent does not challenge the trial court's reliance on her no-contest plea. Even if the trial court erred in using respondent's plea to establish the statutory grounds for termination, we find that other legally admissible evidence was presented warranting termination under MCL 712A.19b(3)(g) and (j). Only one statutory ground is required to affirm the termination order. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).