

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of LOGAN DEE JOHNSON and
CORINNA MARIE JOHNSON, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TAMMY JOHNSON,

Respondent-Appellant,

and

CHRISTOPHER DEE JOHNSON,

Respondent.

UNPUBLISHED

June 26, 2008

No. 282515

Bay Circuit Court

Family Division

LC No. 07-009559-NA

Before: Meter, P.J., and Smolenski and Servitto, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from an order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(ii), (c)(i), and (g). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were proven by clear and convincing evidence. MCR 3.977(J); *In re JK*, 468 Mich 202, 210; 661 NW2d 216 (2003). The record contained evidence that respondent-appellant had recently tested positive for cocaine and had been released from an outpatient substance abuse program for non-compliance with the program. During the course of the termination proceedings, respondent-appellant had attended, and failed to complete, four substance abuse programs. The evidence established, then, that respondent-appellant had not resolved her substance abuse problem by the time of the permanent custody hearing.

There was also evidence that the children were seriously abused by respondent-appellant's older son while in respondent-appellant's care and that respondent-appellant knew or should have known of the abuse. There was further evidence that the children may have been sexually abused by respondent-appellant's boyfriend and exposed to drug-related activities and that respondent-appellant expressed that her being involved with her boyfriend was not a bad

choice. The evidence revealed that respondent-appellant had not made any progress in improving her decision-making or parenting skills.

We find no evidence on this record that the children's best interests precluded termination of respondent-appellant's parental rights. MCL 712A.19b(5). The children require a safe and secure environment in which to recover from the abuse they suffered. Respondent-appellant's failure to address the issues that brought the children into care showed that she was unable to provide such an environment for the children.

We therefore affirm the order terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Patrick M. Meter
/s/ Michael R. Smolenski
/s/ Deborah A. Servitto