

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of MICAH LAMAR HOGGRAVE  
and JAYUAN COWART, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

GRETA LAKISH COWART,

Respondent-Appellant.

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UNPUBLISHED

October 21, 2008

No. 284766

Oakland Circuit Court

Family Division

LC No. 07-740098-NA

Before: Servitto, P.J., and Donofrio and Fort Hood, JJ.

MEMORANDUM.

Respondent appeals as of right from the order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(i), (g), (j), and (k)(ii). We affirm.

Respondent does not contest the proofs in support of the statutory grounds for termination, but challenges the trial court's best interests determination. Once petitioner has established by clear and convincing evidence at least one ground for termination, the trial court shall terminate parental rights unless it finds that the termination is clearly not in the best interests of the children. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353, 355; 612 NW2d 407 (2000). This Court reviews the trial court's best interests determination under the clearly erroneous standard. MCR 3.977(J); *Trejo*, *supra* at 356-357.

Medical testimony revealed that the seven-month-old child suffered from a spiral fracture to his arm that was not consistent with falling off a bed, as suggested by respondent. This referral was not respondent's first contact with petitioner. In a previous referral, it was alleged that respondent's older child tested positive for marijuana at birth. It appears that respondent was offered parenting classes and substance abuse counseling after the earlier referral, and she testified that she completed these services. However, respondent admitted that she used marijuana after such counseling, and she tested positive during these proceedings. Although petitioner recommended that respondent attend outpatient drug treatment and set up transportation from her home, respondent failed to attend any meetings. The evidence further showed that respondent did not have a job or a home at the time of the termination hearing. Respondent acknowledged that, in addition to a home and employment, she needed counseling.

However, it appears that respondent was previously offered counseling but did not benefit from such services.

Respondent argues that she displayed a sincere interest in being a mother to her children. We acknowledge that respondent testified that she had a bond with her children. However, the foster care worker testified that she had not seen a bond between the older child and respondent and that the child had not seen his mother since coming into care.

We hold that the above evidence does not demonstrate that termination of respondent's parental rights was clearly not in the children's best interests. Thus, the trial court did not clearly err in terminating respondent's parental rights.

Affirmed.

/s/ Deborah A. Servitto  
/s/ Pat M. Donofrio  
/s/ Karen M. Fort Hood