

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CHRISTOPHER CAMERON
WOOD, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

RICHARD WOOD,

Respondent-Appellant,

and

CHARLOTTE WOOD,

Respondent.

UNPUBLISHED
November 20, 2008

No. 284765
Oakland Circuit Court
Family Division
LC No. 06-720106-NA

Before: Murphy, P.J., and Sawyer and Smolenski, JJ.

MEMORANDUM.

Respondent Richard Wood appeals as of right an order terminating his parental rights to the minor child under MCL 712A.19b(3)(b)(ii), (g), and (j). Because we conclude that there were no errors warranting relief, we affirm. This appeal has been decided without oral argument under MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 3.977(J); *In re JK*, 468 Mich 202, 209-210; 661 NW2d 216 (2003). Respondent's son suffered severe and repeated abuse while in respondent's care and the evidence established that respondent knew his wife was abusing the boy but did nothing to protect him. Despite counseling, respondent failed to acknowledge the seriousness of the abuse or the need to keep his wife away from their son. Further, by the time of the permanent custody hearing, the child was 14 and had been out of the home for approximately 18 months, yet questions remained about respondent's ability to care for him in light of respondent's financial and health concerns.

Once the statutory grounds for termination of respondent's parental rights were established by clear and convincing evidence, the court had to terminate respondent's parental

rights unless the court also found that termination was clearly not in the child's best interests. MCL 712A.19b(5);¹ *In re JK, supra* at 211. The psychologist, who evaluated the child and both parents, testified at the best interests hearing that termination was not contrary to the child's best interests. The psychologist opined that respondent was focused on his own physical and mental health issues, was not ready to adequately supervise the child, and would not be ready to do so in the near future. Having reviewed the entire record, we conclude that the trial court did not clearly err in making the best interest determination. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ William B. Murphy
/s/ David H. Sawyer
/s/ Michael R. Smolenski

¹ We note that respondent's parental rights were terminated before the effective date of the amendment of MCL 712A.19b(5). See 2008 PA 199.