

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DONYAE TERRELL WALKER,
TANAE ROSE WALKER, BRYAN CURTIS
WALKER, JR., STARR LAKIA WALKER, and
JAELYN PAYNE WALKER-ADOLPH, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

FELISHA R. WALKER,

Respondent-Appellant.

UNPUBLISHED
January 15, 2009

No. 286237
Wayne Circuit Court
Family Division
LC No. 99-382636

Before: Murphy, P.J., and K. F. Kelly and Donofrio, JJ.

MEMORANDUM.

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

The trial court did not clearly err in finding that §§ 19b(3)(g), (j), and (m) were each established by clear and convincing evidence. *In re JK*, 468 Mich 202, 209-210; 661 NW2d 216 (2003); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent had previously released her parental rights to another child in 2001 following the initiation of child protective proceedings. After respondent's other children were removed, she was given numerous opportunities to obtain stable housing and employment, but was unable to consistently do so. As a result, the children were repeatedly transferred back and forth between respondent and foster care placement. At the time of the termination hearing, respondent was still without suitable housing or an adequate source of income. The record shows that past housing, which had been suitable, was lost because respondent failed to pay the rent despite being provided with grant money and because, with respect to another home, respondent's negligence resulted in a fire that destroyed the home. We agree with the trial court that respondent's income and employment problems were mainly of her own making. Testimony also indicated that respondent failed to benefit from parenting classes.

Further, the evidence did not clearly show that termination of respondent's parental rights was not in the children's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 354.¹ Therefore, the trial court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ William B. Murphy
/s/ Kirsten Frank Kelly
/s/ Pat M. Donofrio

¹ Pursuant to an amendment of MCL 712A.19b(5) by the Legislature in 2008 PA 199, a trial court must now find, in addition to a statutory ground for termination, "that termination of parental rights is in the child's best interests." This amendment was made effective July 11, 2008, which is after the date of the termination proceedings in the case at bar.