

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of JOHNATHAN PARKER and  
BRADLEY PARKER, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ROBERT PARKER,

Respondent-Appellant,

and

CORY PARKER, a/k/a CORY WENDZEL,

Respondent.

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UNPUBLISHED

August 27, 2009

No. 290592

Berrien Circuit Court

Family Division

LC No. 2007-000139-NA

Before: M. J. Kelly, P.J., and K. F. Kelly and Shapiro, JJ.

MEMORANDUM.

Respondent Robert Parker appeals as of right from a circuit court order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(g) and (j). We affirm.

It is our view that the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. See MCR 3.977(J); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). Respondent had serious mental health issues and lacked any significant parenting skills. The children’s counselor recommended against visitation with respondent, due to the nature of the children’s behavior problems, until respondent began counseling, showed that he was benefiting from it, and was “willing and able to take responsibility for his actions . . . .” Respondent, however, never earned visitation because his attendance at counseling was sporadic and he failed to make significant progress. As of his last therapy session, his therapist reported that “he could not recommend the children going to Mr. Parker . . . .” In addition, respondent lacked suitable housing and a source of income.

Contrary to respondent’s argument on appeal, petitioner was not required to prove that respondent would neglect his children for the long-term future as held in *Fritts v Krugh*, 354 Mich 97, 114; 92 NW2d 604 (1958), overruled on other grounds by *In re Hatcher*, 443 Mich

426, 444; 505 NW2d 834 (1993). That case predates the enactment of MCL 712A.19b(3), which now sets forth the criteria for termination of parental rights.

Finally, the trial court did not clearly err in finding that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5). Accordingly, we conclude that the trial court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Michael J. Kelly  
/s/ Kirsten Frank Kelly  
/s/ Douglas B. Shapiro