

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of RAYSHAWN DAMIEN
RASCOE, MICHAELA JASMINA RASCOE,
MARK ANTHONY RASCOE, and JUAN
DESHAWN RASCOE, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

STEPHANIE LASHAWN RASCOE,

Respondent-Appellant,

and

DAVID JOSEPH BROWN,

Respondent.

UNPUBLISHED

April 20, 2010

No. 292577

Wayne Circuit Court

Family Division

LC No. 91-293425

Before: JANSEN, P.J., and CAVANAGH and K. F. KELLY, JJ.

PER CURIAM.

Respondent Stephanie Rascoe (respondent) appeals by right the trial court's order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

Termination of parental rights requires a finding that at least one of the statutory grounds contained in MCL 712A.19b(3) has been established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 350, 356-357; 612 NW2d 407 (2000). The trial court must then order termination of parental rights if it finds that termination is in the children's best interests. MCL 712A.19b(5). Trial court findings are reviewed for clear error. MCR 3.977(J); *Trejo*, 462 Mich at 356-357. A finding is clearly erroneous if the reviewing court has a definite and firm conviction that a mistake was committed, giving due regard to the trial court's opportunity to observe the witnesses who appeared before it. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

Respondent first argues that the trial court erred by finding that §§ 19b(3)(c)(i), (g), and (j) had been established by clear and convincing evidence. We find no clear error. The evidence showed that respondent failed to benefit sufficiently from more than five years of services and still could not adequately parent her children at the conclusion of that period. See *In re Gazella*, 264 Mich App 668, 676-677; 692 NW2d 708 (2005). Three evaluations from the Clinic for Child Study found serious problems. Caseworkers also saw insufficient improvement, while respondent's therapist questioned her judgment in a recent incident with one of the children and a foster parent. This therapist opined that respondent and the children would need individual and family therapy for the foreseeable future. While respondent's parenting did improve, most expert opinion was that it was not enough. Each of the children had serious special needs, and the consensus of the witnesses was that respondent would not be able to handle all of the children together. Further, respondent's housing with her partner was not presently sufficient for all of their seven children. We find no clear error in the trial court's conclusion that the evidence clearly and convincingly established the grounds enumerated in §§ 19b(3)(c)(i), (g), and (j). At any rate, only one statutory ground need be proven to terminate parental rights. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

Respondent also argues that the trial court erred by finding that termination was in the children's best interests. We disagree. While respondent made progress toward reunification, the progress was not sufficient considering the children's special needs and the time they had been in care. The children's behavior and words showed that they were experiencing confusion and uncertainty regarding their future and were clearly in need of permanency. We do not doubt that respondent and her children loved each other and shared a bond with one another. However, the evidence clearly and convincingly showed that respondent would be unable, within a reasonable time, to provide the stability, permanency, and nurturing home that the children needed. The trial court did not clearly err its best-interests determination. MCR 3.977(J).

Affirmed.

/s/ Kathleen Jansen
/s/ Mark J. Cavanagh
/s/ Kirsten Frank Kelly