

STATE OF MICHIGAN  
COURT OF APPEALS

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UNPUBLISHED

October 12, 2010

In the Matter of D. D. WATKINS, Minor.

No. 296628  
Wayne Circuit Court  
Family Division  
LC No. 90-286439

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Before: ZAHRA, P.J., and TALBOT and METER, JJ.

PER CURIAM.

Respondent mother appeals as of right the order terminating her parental rights to her minor child under MCL 712A.19b(3)(g) (failure to provide proper care and custody), (i) (prior termination for serious neglect or abuse and rehabilitation failed), (j) (likely harmed if returned). We affirm.

A petitioner must establish at least one statutory ground for termination of parental rights by clear and convincing evidence. *In re JK*, 468 Mich 202, 210; 661 NW2d 216 (2003). The lower court's decision should not be reversed if there was sufficient evidence under any statutory ground, regardless whether the court erred in finding sufficient evidence under other grounds. *In re Huisman*, 230 Mich App 372, 384-385; 584 NW2d 349 (1998). It was undisputed that respondent's rights to two other children were terminated under this state's child protection laws; therefore, there was sufficient evidence under MCL 712A.19b(3)(l).

Respondent also failed to address on appeal the lower court's findings that her rights to other children were terminated for chronic and serious neglect or abuse, and unsuccessful rehabilitation effort. MCL 712A.19b(3)(i). Further, there was sufficient evidence that she failed to provide proper care and custody because she was intoxicated while caring for her young child, and she was not reasonably likely to provide proper care in the future because she repeatedly relapsed after undergoing inpatient treatment. MCL 712A.19b(3)(g). She offered no explanation for her last relapse or any explanation why the newest treatment program she proposed would work when others failed. Compare *In re Conley*, 216 Mich App 41, 43-44; 549 NW2d 353 (1996). Petitioner's efforts to rehabilitate her were more than reasonable. There was also sufficient evidence that the child would likely be harmed in her care, MCL 712A.19b(3)(j), because she became intoxicated when he was previously returned to her.

The lower court must also find that termination is in the child's best interests before it terminates a respondent's parental rights. MCL 712A.19b(5). Although respondent reportedly had good parenting skills and her child was very bonded to her, she could not provide a safe and

stable home after many opportunities with this child and her older children. The child's need for permanence is relevant to the best interests analysis. See *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991). The lower court did not err when it held that terminating respondent's parental rights was in the child's best interests.

Affirmed.

/s/ Brian K. Zahra  
/s/ Michael J. Talbot  
/s/ Patrick M. Meter