

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
February 21, 2012

In the Matter of SPENCER, Minors.

No. 305177
Genesee Circuit Court
Family Division
LC No. 09-125855-NA

Before: SERVITTO, P.J., and TALBOT and K. F. KELLY, JJ.

PER CURIAM.

Respondent R. Dominy appeals as of right from a trial court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (c)(ii), (g), and (j). Because the trial court did not err in finding a statutory basis for termination or in finding that termination of respondent's parental rights was in the children's best interests, we affirm.

Although respondent argues that the trial court erred in finding a statutory basis for termination, her argument is directed at the adequacy of services provided by petitioner. Moreover, although respondent refers to §§ 19b(3)(c)(i), (g), and (j), she does not address § 19b(3)(c)(ii), the other statutory ground cited by the trial court.¹ It is well established that only one statutory ground for termination need be proven to warrant termination. *In re Trejo*, 462 Mich 341, 360; 612 NW2d 407 (2000). Because respondent does not challenge the trial court's decision to terminate her parental rights under § 19b(3)(c)(ii), this Court may assume that the trial court did not clearly err in finding that the unchallenged ground was proven by clear and convincing evidence. Further, a respondent's failure to address an issue that must necessarily be reached to reverse the trial court precludes appellate relief. *City of Riverview v Sibley Limestone*, 270 Mich App 627, 638; 716 NW2d 615 (2006).

Respondent's principal argument is that the outcome of the case "could have been very different" if she had been provided with "better services." In most cases, petitioner is required to make reasonable efforts to reunify the family. MCL 712A.19a(2). Petitioner met that obligation in this case.

¹ Although respondent cites § 19b(3)(c)(ii), this reference is based on the statutory language of § 19b(3)(c)(i).

The children were placed under the jurisdiction of the court due to domestic violence between respondent and the children's father, respondent's drug use, the children having tested positive for THC upon birth, respondent's instability, and respondent's improper handling of sexual abuse allegations by her eldest child against her youngest children's father. Petitioner provided respondent with a psychological evaluation and a substance abuse assessment to assess her needs. It then directed her to Community Mental Health, which referred her to Catholic Charities for counseling regarding mental health, substance abuse, and sexual abuse, and it referred her to the YWCA for counseling regarding domestic violence. It also referred her to another agency for parenting classes, and provided her with drug screens to monitor her sobriety. Respondent's progress was hampered by her failure to address her issues in a timely manner. She waited until late September 2010 to complete the substance abuse assessment, she waited until December 2010 to begin parenting classes, and she waited until late February or late March 2011 to stop using marijuana. Because respondent was not able to submit three consecutive negative drug screens before the supplemental petition was filed, she was never able to participate in family visits.

Further, while respondent claims that petitioner failed to provide additional needed services, she did not show that she would have fared better if the worker had offered those additional services to her. See, *In re Fried*, 266 Mich App 535, 543; 702 NW2d 192 (2005). Respondent has not identified what reunification services she required that were not provided or explained how the outcome would have been different had those services been provided. Therefore, respondent has not demonstrated that the trial court erred in finding a statutory basis for termination.

We also reject respondent's argument that the trial court erred in its assessment of the children's best interests. Respondent's psychological evaluation indicated that the children would be at risk of abuse or neglect if placed in her care due and that her overall prognosis was poor. One of the children had been in respondent's care for only eight months of her life, and the youngest child had never been in respondent's care, having tested positive for drugs at birth. Because of her persistent use of marijuana, respondent was unable to visit her children during the pendency of the case, so any parent/child relationship that may have developed had been severely attenuated by the time of the hearing. 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); *In re Trejo*, 462 Mich at 356-357.

Affirmed.

/s/ Deborah A. Servitto

/s/ Michael J. Talbot

/s/ Kirsten Frank Kelly